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Washington University

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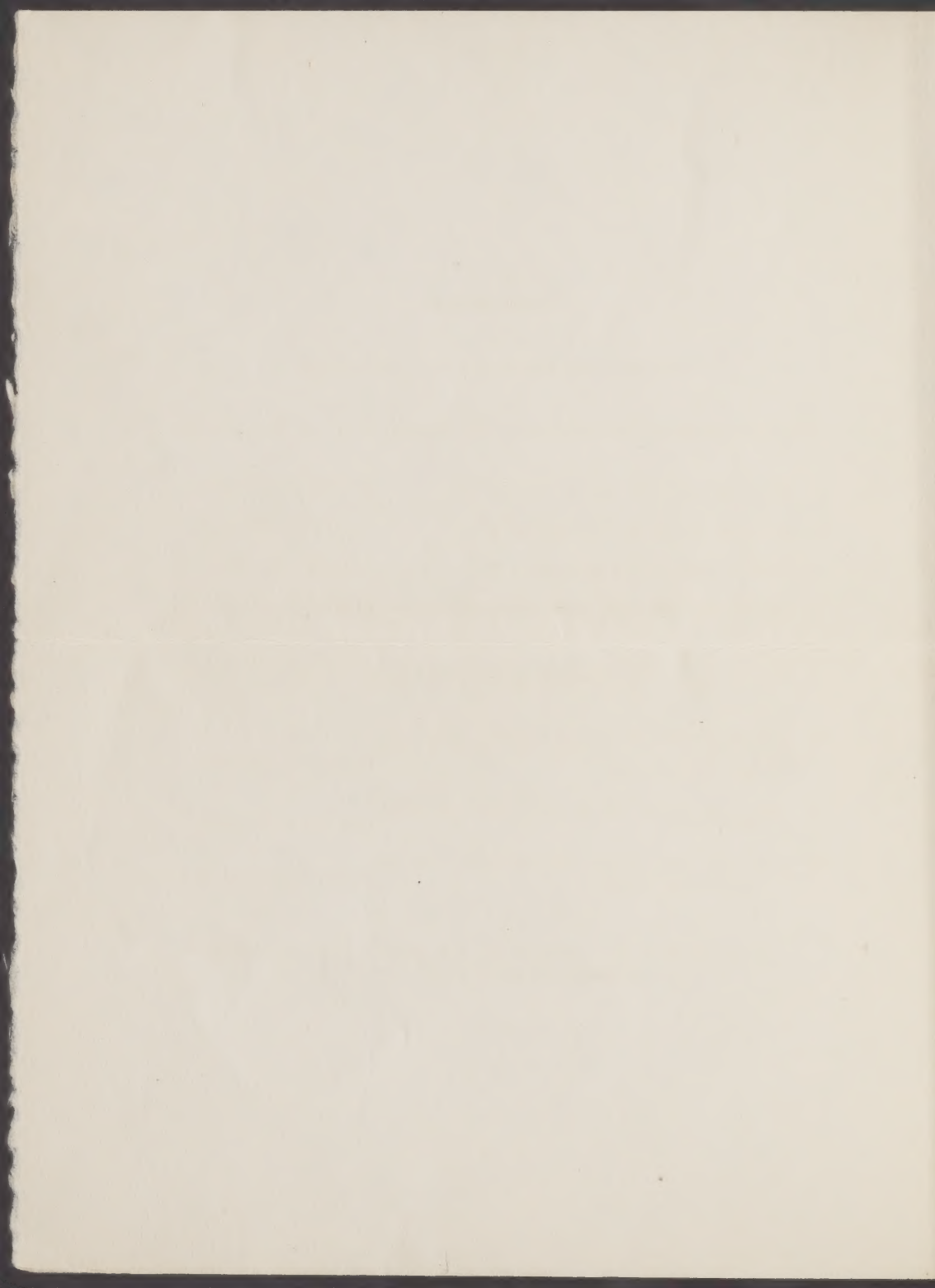
John Max Wulfinf

*at the*

Jefferson Memorial

Tuesday, February the eighteenth

*at eight-fifteen p. m.*



## PROGRAM

CHANCELLOR GEORGE R. THROOP, PRESIDING

THE FOLLOWING BRIEF ADDRESSES AND PAPERS WILL BE PRESENTED:

1. MR. WULFING, THE MAN AND SCHOLAR . . . GEORGE R. THROOP
- \*2. RESTORATION COINS (ILLUSTRATED) . . . THOMAS S. DUNCAN
- \*3. CANIDIA AND OTHER WITCHES . . . EUGENE TAVENNER
4. RECENT EXCAVATIONS IN ROME (ILLUSTRATED) , FREDERICK W. SHIPLEY

TO BE READ BY TITLE ONLY:

- \*5. THE ANTI-WOLFIANS: AN INVESTIGATION OF THE  
LITERARY ANTI-WOLFIAN MOVEMENT DURING  
WOLF'S OWN TIME . . . . . GEORGE R. THROOP
- \*6. THE "LEX DATA" AS A SOURCE OF IMPERIAL  
AUTHORITY . . . . . DONALD MCFAYDEN
- \*7. C. SOSIUS: HIS COINS, HIS TRIUMPH AND HIS  
TEMPLE OF APOLLO . . . . . FREDERICK W. SHIPLEY

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\*THESE PAPERS WILL BE PRINTED IN A SPECIAL VOLUME OF THE  
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# WASHINGTON UNIVERSITY STUDIES

*New Series*

LANGUAGE AND LITERATURE

NUMBER 3



PAPERS ON CLASSICAL SUBJECTS

IN MEMORY OF

JOHN MAX WULFING

PUBLISHED BY

WASHINGTON UNIVERSITY  
ST. LOUIS

DECEMBER, 1930



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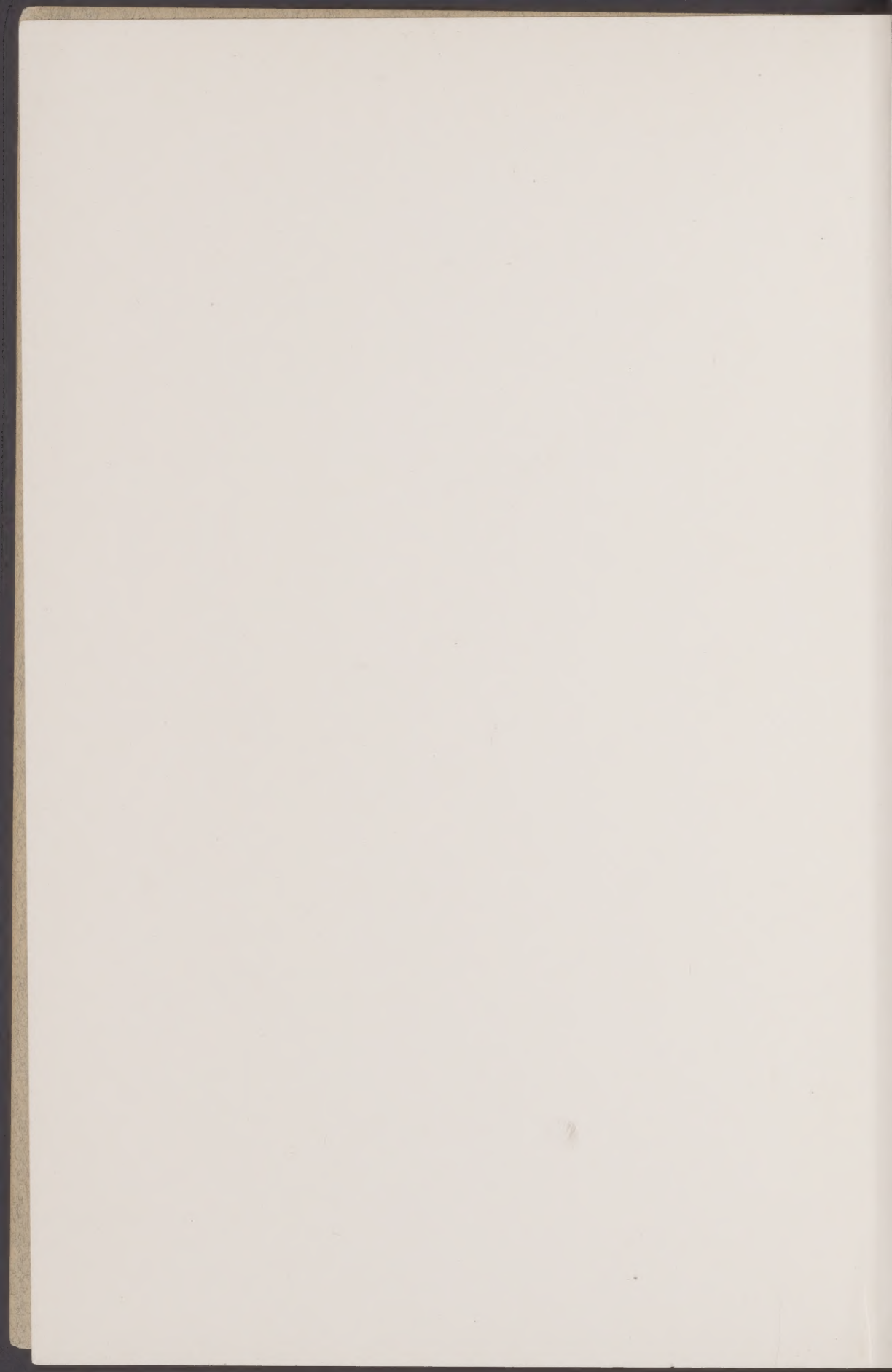
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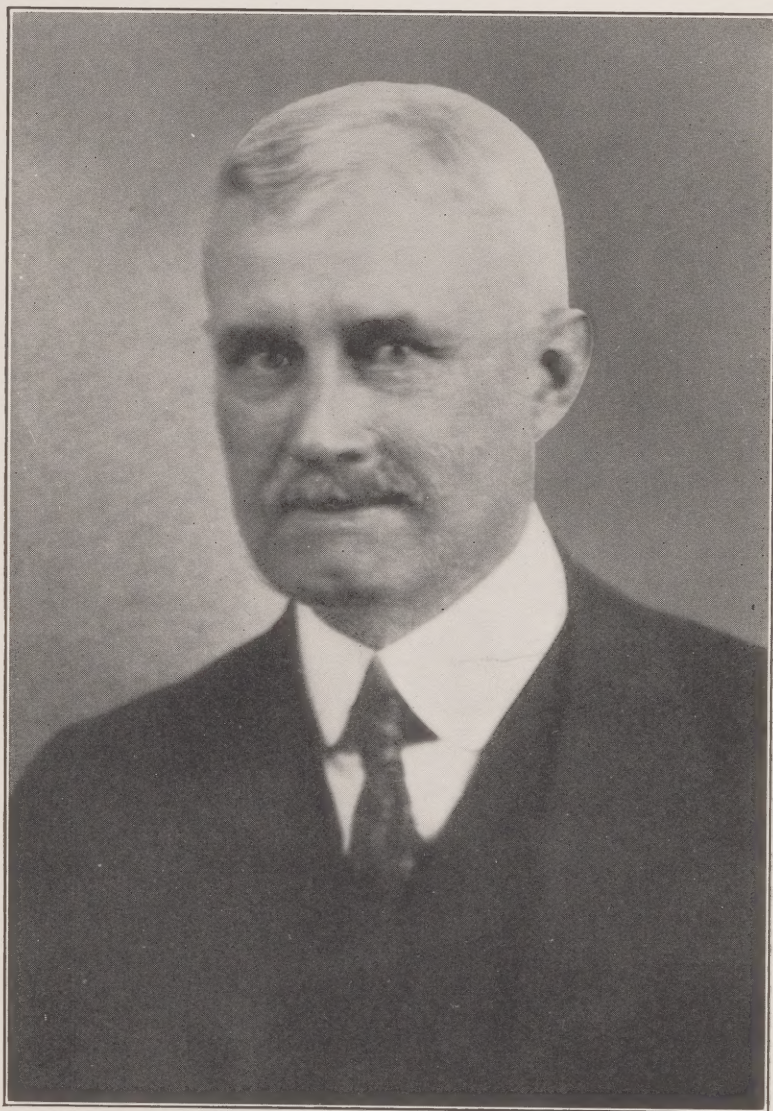












JOHN MAX WULFING  
1859-1929

# PAPERS ON CLASSICAL SUBJECTS

IN MEMORY OF  
JOHN MAX WULFING

EDITED BY  
FREDERICK W. SHIPLEY

WASHINGTON UNIVERSITY STUDIES—NEW SERIES  
LANGUAGE AND LITERATURE—No. 3  
ST. LOUIS, 1930





## FOREWORD

The papers included in this number of the Washington University Studies have one common bond of unity, the desire of the University and of the individual authors to pay tribute to the memory of John Max Wulff, a warm friend of the University and of the departments of Classics and Ancient History. His sudden death on January 28, 1929, was a shock to many scholars on both sides of the Atlantic, but particularly to the smaller group of his friends in his home city who were privileged to enjoy the more intimate contacts of personal friendship and of collaborating with him in the various organizations in which he was actively interested: the St. Louis Numismatic Society of which he was both founder and president, the St. Louis Society of the Archaeological Institute of America of which he was president at the time of his death, and the St. Louis Classical Club.

The first five of these papers were presented at a memorial meeting held on February 18, 1930, under the joint auspices of Washington University and the St. Louis Society of the Archaeological Institute of America. The last paper was presented on December 12, 1929, at a similar joint memorial meeting of the St. Louis Classical Club and the St. Louis Numismatic Society. The address of Chancellor Throop was devoted to an appreciation of Mr. Wulff as man and scholar, and of his generous donation to the University, some time before his death, of his superb collection of coins and of his numismatic and archaeological library. The remaining papers deal with topics drawn from various fields in which he was interested: numismatics, ancient history, classical phi-

lology, and Roman archaeology. All are contributions of close personal friends in Washington University.

To the editor, who enjoyed the privilege of a long and intimate friendship with this rare and stimulating man, a friendship of more than a quarter of a century's duration, the preparation of this number in his honor has been indeed a labor of love.

November 1, 1930.

## CONTENTS

|                                                                          |    |
|--------------------------------------------------------------------------|----|
| JOHN MAX WULFING, THE MAN AND SCHOLAR . . . . .                          | 9  |
| GEORGE R. THROOP                                                         |    |
| CANIDIA AND OTHER WITCHES . . . . .                                      | 12 |
| EUGENE TAVENNER                                                          |    |
| RESTORATION COINS . . . . .                                              | 38 |
| THOMAS S. DUNCAN                                                         |    |
| THE <i>LEX DATA</i> AS A SOURCE OF IMPERIAL<br>AUTHORITY . . . . .       | 64 |
| DONALD MCFAYDEN                                                          |    |
| C. COSIUS: HIS COINS, HIS TRIUMPH, AND HIS<br>TEMPLE OF APOLLO . . . . . | 73 |
| FREDERICK W. SHIPLEY                                                     |    |
| CONCERNING THE ROSTRA OF JULIUS CAESAR . . . . .                         | 88 |
| FREDERICK W. SHIPLEY                                                     |    |





## JOHN MAX WULFING, THE MAN AND SCHOLAR

GEORGE REEVES THROOP

John Max Wulfing was born in St. Louis, December 8, 1859, and died there January 28, 1929. He graduated in 1875 from Smith Academy, a preparatory school connected with Washington University. A scholarship assigned to him at the latter institution was not used. He devoted the next two years to study abroad, spending one year at the Gymnasium at Hanover, Germany, and the next at the Gymnasium at Wiesbaden. In the fall of 1877 he embarked on a commercial career in St. Louis, which he followed up to the time of his death.

He was an unusual example, all too rare in this country, of the business man who finds the time and has the interest to devote himself to scholarly pursuits, and achieves a rank worthy of high commendation in the fields to which he devotes himself. His devotion to the classics was motivated in the main by the interest aroused in his studies in his school days, both in Smith Academy and abroad. He also spent several months at Rome in 1886, and this probably confirmed the feeling of respect and affection for classical antiquity which became without doubt the ruling motive of his life. He afterwards made several trips to Italy, to Greece, and to Egypt, and was on the point of departing for Germany to attend the celebration of the centenary of the German Archaeological Institute in Berlin at the time of his death.

He was well and intimately known in Germany, not only in the classical fields through his association with such men as Dörpfeld, Buschor, Amelung and others, but also from his great interest in German culture and education, through which he came in contact with many prominent Germans during their stay in this country. Immediately after the war, he gave both time and money freely to assist in the work of rehabilitation in Germany. He was, however, especially interested in assisting German university professors and students

to carry on during the great distress into which the period of rehabilitation threw the professional classes. He also assisted materially in helping to carry through works of German scholarship which could not have been published except through his interest and energy. As examples of the latter kind are the second volume of the Keller and Holder *Horace*, and Volume V of the *Thesaurus*. As a recognition of his assistance he had been made an "Ehrensator" in the universities of Bonn, Heidelberg, and Breslau, and an "Ehrenbürger" in Munich. He was also to have received an honorary degree in Germany at the time of his projected visit in 1929.

He served in the St. Louis Society of the Archaeological Institute of America for over twenty years, as treasurer, as vice-president, president, and councillor of the Institute. He was also one of the founders of the St. Louis Society. His main interests were in archaeology, and particularly in numismatics. That he was interested in the various fields of archaeology is evidenced by his extensive library collections, though he did not devote to American archaeology, or Egyptian archaeology, for example, the time and the energy which he devoted to classical archaeology and to the numismatic field. His collections of Greek and Roman coins were made over a period of many years, and in certain fields, namely, the Empire and the Byzantine periods, are perhaps as good as any in the country outside of New York. These collections, which he left to Washington University, were not made as a mere hobby, but with a serious scholarly purpose. They are carefully chosen, and represent the systematic work of a student and authority in the field. I know of not more than one or two men in this country who rank with him in knowledge of this special field, and though he had not written extensively, his published work was scholarly, lucid, and bore the mark of an authority. His abiding interest in his work is shown by the fact that he gave endowment and left a bequest for the maintenance of his collection of coins and for

the excellent archaeological and numismatic library which he also gave to the University. A bibliophile in every sense of the word, in this particular field he was a rare judge of scholarly work and an indefatigable purchaser and collector. There is hardly a classical professor in the country more familiar with the work in classical literature and antiquities than was Mr. Wulfing. Not only was his own enthusiasm always manifest, but he possessed the unusual power of arousing and stimulating others.

He was a friend and companion of many classical scholars, who have deeply lamented his passing. He was a man of strong and virile personality. He was welcomed everywhere for his companionship, his joy in life, his sympathy, his remarkable wit and humor, his thoughtfulness and appreciation of his friends in many practical ways. He was a man of a type which illustrates the best in any culture or civilization, a man of practical and direct ability, in business affairs, but one whose spirit always turned for its greatest enjoyment to studious, scholarly pursuits, and to the more artistic things of life. He will be long remembered by those who knew and loved him, and who will miss the inspiration and the enthusiasm of his personality and his example.



## CANIDIA AND OTHER WITCHES

EUGENE TAVENNER

Except for a few passing allusions in Plautus,<sup>1</sup> Pacuvius,<sup>2</sup> Cicero<sup>3</sup> and Varro<sup>4</sup> the first important references to witches and witchcraft in Latin literature occur in Vergil. I am, of course, using the word *witch* in its ordinary sense, namely: "One who is supposed to have influence or dealings with evil spirits. . . in order to work a spell upon human beings or their belongings."<sup>5</sup> Moreover, I shall restrict this definition to women only, in accordance with popular usage.

The eighth Eclogue of Vergil,<sup>6</sup> even though an adaptation of the second Idyl of Theocritus, will furnish a good introduction to our subject. The speaker is a love-sick maiden who is somewhat of an adept in magic, though not a witch in the more sinister sense of that word. Her lover, Daphnis, has deserted her, and she is attempting to bring him again to her feet by magic art. Whence she learned this art we are not told.

Though the details are drawn almost entirely from a Greek original, they are worthy of our notice because we shall meet them again and again. The object of the magic acts is to control the love of a man, and to that end the witch finds her most powerful means of compulsion her *carmen* or charm, which she often repeats in the refrain:

Ducite ab urbe domum, mea carmina, ducite Daphnim.<sup>7</sup>

Next in importance seems to be the waxen image of the beloved, which is thrice bound round with magic knots, and

<sup>1</sup> *Amphit.* 605; 782 f.; 830; act IV, fragments 6 and 8, ed. Lindsay, Oxf. text; *Epid.* 221; 604; *Mil. Glor.* 692 f.; *Pseud.* 869-872; *Rud.* 1302; *Truc.* 133 f.; 762; *frag. incert.* 169, ed. Lindsay.

<sup>2</sup> *Incert. Fab.* 36, ed. Ribbeck.

<sup>3</sup> in *Caecil.* 57; *de Divin.* II, 129; *de Nat. Deor.* III, 48; in *Vat.* 14.

<sup>4</sup> *apud Augustinum, de Civ. Dei* XVIII, 17; *Sat. Menip. frag.* 16 and 17 (284, 285, ed. Buecheler.)

<sup>5</sup> *New Standard Dictionary, s. v. witch.*

<sup>6</sup> Lines 64-109.

<sup>7</sup> Repeated in lines 68, 72, 76, 79, 84, 90, 94, 100, 104.

thrice carried around the altar. The maiden knows the value of the magic number three.<sup>8</sup> Before the altar fire this image is allowed to melt, while an image of clay, presumably representing the enchantress, grows hard, and thus gains the ascendancy over the melting, weakening image of the faithless lover. In like manner the clothes of the absent lover are buried under the threshold, where they will be walked over.<sup>9</sup> Thus will Daphnis through sympathetic magic melt with the waxen image, and through contagious magic be controlled in proportion as his clothes are walked over. The magic power of the crackling laurel<sup>10</sup> and of certain colors is not forgotten.<sup>11</sup>

Somewhat similar are the verses of the Ciris<sup>12</sup> in which Carme, the nurse<sup>13</sup> of Scylla, in her endeavor to compel Nisus by magic, burns sulphur<sup>14</sup> and magic herbs in a pot, binds twenty-seven tricolored threads upon her rhombus,<sup>15</sup> and bids Scylla to join her in spitting<sup>16</sup> three times upon their respective breasts.

<sup>8</sup> Cf. the author's "*Three as a Magic Number in Latin Literature*," *T. A. P. A.*, XLVII (1916), 117-143, especially 122.

<sup>9</sup> For the threshold in magic cf. Plautus, *Cas.* 815-824; *id.*, *Merc.* 830; Ovid, *Fasti* II, 571-574; *ib.* VI, 156; *Her.* XIII, 85-90; Pliny, *N. H.* XX, 101; XXVIII, 48; XXIX, 83; XXX, 82; XXXII, 44; XXXIV, 151; Marcellus Empiricus, I, 65; II, 4; IV, 27; XIV, 66; XVI, 21; XXIII, 35; 50; XXV, 35; XXVIII, 37. These passages indicate that the threshold, like the window, attained its efficacy in magic primarily because it was the principal means of egress and ingress. Professor Ogle is, I think, scarcely upheld in his conclusion (*T. A. P. A.*, XL (1909), lxvi) that "the threshold was the place for performing all sorts of magic rites which are always, in the last analysis, concerned with the spirits of the dead."

<sup>10</sup> For a good note on laurel in magic and folk practice cf. R. Heim, *Incantamenta Magica Graeca Latina*, p. 508, in *Jahrbücher für Classische Philologie*, Suppl. Bd. XIX (1892). In addition to the references given there, cf. Propertius, II, 28B, 35-38; Pliny, *N. H.*, XV, 135, 136; XVIII, 161; Columella, VIII, 5, 12; Suetonius, *Tib.* 69; Apuleius, *Apol.* 30; *Met.* III, 23.

<sup>11</sup> 77.

<sup>12</sup> 369-373.

<sup>13</sup> In line 375 it is intimated that she is an old woman.

<sup>14</sup> For sulphur in magic lustrations cf. Ovid, *Rem. Amor.* 260; Tibullus, I, 5, 11.

<sup>15</sup> Reference to the magician's wheel will be found in Horace, *Epod.* 17, 7; Propertius, II, 28B, 35; III, 6, 26; Ovid, *Am.* I, 8, 7; Martial, IX, 29, 9; XII, 57, 17.

<sup>16</sup> For spitting as an act of magic, see Frank W. Nicolson, *The Saliva Superstition in Classical Literature*, *Harvard Studies in Classical Philology*, VIII (1897), 23-40.

To these we should add the celebrated passage from the *Aeneid*<sup>17</sup> in which Vergil depicts Dido's efforts to control the love of Aeneas through the assistance of a Massylian priestess-witch, who is represented as knowing how in conventional fashion to control the forces of nature. She invokes the usual divinities of witches,<sup>18</sup> she uses the customary magic herbs,<sup>19</sup> and is acquainted with the powerful *hippomanes*.<sup>20</sup> In these details Vergil, like practically all the Roman poets who followed him, seems to be using conventional material, probably of Greek origin. What interests us more is the fact that the priestess, like an ordinary witch, has her hair unbound,<sup>21</sup> and, like the maiden of *Eclogue VIII*, uses the belongings of Aeneas to work her contagious magic,<sup>22</sup> his image to work her sympathetic magic.<sup>23</sup>

The Vergilian material is Greek or African in scene and conventional in treatment. With Horace the scene changes to the Roman Esquiline and the time to that of the poet. The characters, too, doff the dress of the distant and the mythical for the garb of Canidia, reputed to have been a very ordinary contemporary of the poet.

Our first acquaintance with Canidia is in the *Satires*,<sup>24</sup> where vigorous complaint is made against her by the statue of Priapus, which stood in the gardens of Maecenas. These gardens, but recently a cemetery, were a favorite haunt of witches, especially of Canidia and her companion, Sagana.

<sup>17</sup> IV, 478-516.

<sup>18</sup> Erebus, Chaos and Hecate, *ibid.* 510 f.

<sup>19</sup> *Ibid.* 513 f.

<sup>20</sup> 515 f. Other references to this love philtre are: Laevius, fr. 27, ed. Baehrens; Vergil, *Georg.* III, 280-283; Propertius, IV, 5, 18; Ovid, *Amor.* I, 8, 8; *Ars. Amat.* II, 100; *Med. Fac. Fem.* 38; Tibullus, II, 4, 57 f.; Lucan, VI, 455 f.; Juvenal, VI, 133; 626; Suetonius, *Caligula* 50; Apuleius, *Apol.* 30.

<sup>21</sup> 509. Other instances of hair unloosed in magic are: Horace, *Epod.* V, 16 and 27; *Sat.* I, 8, 24; Ovid, *Fasti* III, 257 f.; *Her.* VI, 89; Columella, X, 361; XI, 3, 64; Petronius, *Sat.* 44; Seneca, *Med.* 752; 803; Lucan, VI, 468 f.; 518; A. Gellius, X, 15, 30.

<sup>22</sup> 495-498; 507.

<sup>23</sup> 508.

<sup>24</sup> I, viii, 17-50.

We meet her again in the Epodes,<sup>25</sup> engaged in a dreadful magic act—this time with the help of her old coadjutor, Sagana, and two other hags. At Canidia's home they are about to bury a living boy up to his arm-pits and allow him to starve in the presence of luscious food, that his intense desire for food may penetrate his liver and marrow, and so make of them very potent love charms.

I wish now to examine these two poems for details concerning Canidia in particular and Roman witches in general. What did a witch look like in dress, nails, teeth, hair? How old ought she to be? How did she proceed? What was her object in being a witch? In seeking an answer to these and similar questions we shall have occasion to renew our acquaintance with other fleshly witches, though we shall not have sufficient space at our command to scrutinize among the number those kinswomen, half divine, Circe and Medea.

First, then, let us take up the tale that Priapus, the scarecrow of the Esquiline, tells of Canidia:

The scene is an old cemetery<sup>26</sup> in process of becoming a park. There are still gruesome remains about,<sup>27</sup> as well as noxious herbs, both valuable constituents in magic spells and potions. Moreover, a cemetery is a fitting place in which to call up the spirits of the dead to compel them to prophesy or give other assistance to the witches. Into this cemetery come Canidia and her companion on a moonlit<sup>28</sup> night.

Concerning the name, Canidia, there has been much speculation. Whether the name really represents Gratidia, the *unguentaria Neapolitana*, as the scholiasts guessed,<sup>29</sup> we shall

<sup>25</sup> The entire fifth Epode is devoted to her. For completeness of record we should, perhaps, add that in *Sat.* II, 1, 48 and II, 8, 95 we have Canidia referred to in passing as one who poisons, or whose breath is poisonous. Also in Epode III, 8 we have a short and unimportant reference to Canidia.

<sup>26</sup> Hor., *Sat.* I, viii, 8-11; 15 f.; 22.

<sup>27</sup> *Ibid.*, 16; 22.

<sup>28</sup> *Ibid.*, 21; 35.

<sup>29</sup> Cf. Wickham, E. C., *The Works of Horace*, vol. II (Oxford, 1891), p. 86, introduction to *Sat.* I, viii; Gensel, in *Pauly-Wissowa, Real-Encyclopædie*, s. v. *Canidius, Canidia*.



probably never know. We can say, however, that the text of Horace gives no justification for such an identification. Another statement of the scholiasts that Canidia was so named because of *canities capitis* may possibly be true. But against this we have the fact that Canidius was an honored *nomen gentile* among the Romans, though of infrequent occurrence.<sup>30</sup> If, then, Canidia may be the true name of a woman, and if there is no evidence of fictitious names in the case of her assistants in magic, we need not speculate further.<sup>31</sup>

Of the two witches who enter the cemetery Canidia was the younger.<sup>32</sup> She was barefooted,<sup>33</sup> her hair disheveled;<sup>34</sup> she wore a black palla,<sup>35</sup> girded high for freedom of movement. Her face was ashen in color<sup>36</sup> and her beauty probably not enhanced by her false teeth.<sup>37</sup> Of Sagana we know only that she also was pallid,<sup>38</sup> and that she wore a high wig.<sup>39</sup> But we may safely assume, I think, that she, too, was clad in a garment of night, and, like Canidia, was barefooted.

Their object in coming was "with their incantations and potions to twist the spirits of men" to their bidding;<sup>40</sup> and to accomplish this they had brought with them two images, one of wool and the other of wax.<sup>41</sup> They had also certain cords tied into love-knots on their arms,<sup>42</sup> and somewhere about their persons the beard of a wolf and the tooth of a spotted snake;<sup>43</sup> and were leading a black lamb for slaughter.<sup>44</sup> As

<sup>30</sup> It was borne by one who was probably proquaestor of Cyprus in 57 A. D., and by P. Canidius Crassus, a very important partisan of Antony in his struggle against Octavian. For the name in the inscriptions cf. *C. I. L.* II, 111; V, 1145; VI, 9177; 14322; 28667; VIII, 2837; XI, 4755.

<sup>31</sup> One is tempted to connect the name of *Cānidia* with *cānere*, to utter a magic spell, notwithstanding a difference in the quantity of the vowel of the first syllable; and also to connect the name of her companion, *Sāgana*, with *sāga*, a wise woman, or a witch, though there is a similar difference in quantity.

<sup>32</sup> *Ibid.* 25.

<sup>33</sup> 24.

<sup>34</sup> 24; cf. *supra*, note 21.

<sup>35</sup> 23.

<sup>36</sup> 25 f.

<sup>37</sup> 48.

<sup>38</sup> 25 f.

<sup>39</sup> 48 f.

<sup>40</sup> 19 f.

<sup>41</sup> 30 f.

<sup>42</sup> 49 f.

<sup>43</sup> 42.

<sup>44</sup> 27.

they proceed they pick magic herbs from the neighborhood of tombs.<sup>45</sup>

And now they have reached the spot most suitable for their rites. If, as seems probable, Horace in this Satire is following the actual order of events, their first act was to dig a trench with their fingers,<sup>46</sup> probably because of a taboo on iron implements, or possibly merely to add savageness to the general concept. Then with their teeth they rent asunder the limbs of the black lamb and allowed its blood to flow into the trench they had dug.<sup>47</sup> Such trenches were regularly used in evoking spirits of the dead from Hades,<sup>48</sup> and black animals were regularly sacrificed to infernal deities.<sup>49</sup>

This done, they seem to have built a fire somewhere near the trench and to have set up beside the fire the images of wool and of wax.<sup>50</sup> Of these the larger image of wool was made to threaten the cringing image of wax. These two images unquestionably represent respectively Canidia and the obdurate lover whom she desires to twist by magic to do her bidding. It is a familiar type of sympathetic magic.

Then follows an invocation to Hecate, goddess of witches, and to the fury, Tisiphone, who signify their pleasure in the prayer by sending snakes and the dogs of hell to mingle in the scene.<sup>51</sup>

The efforts of the witches are successful. The *manes* rise from the trench to prophesy in their thin, squeaky voices.<sup>52</sup> What that prophecy was about we do not know, but we may suspect that it concerned the obdurate lover represented by the wax image. At any rate, after the witches had buried the wolf's beard and the tooth of the spotted snake, apparently to protect themselves against the countercharms of

<sup>45</sup> 22.

<sup>46</sup> 26-28.

<sup>47</sup> 27 f.

<sup>48</sup> Cf., e. g., *Odyssey* XI, 23-37.

<sup>49</sup> Cf. Tibullus, I, 2, 62; Ovid, *Met.* VII, 259; Seneca, *Oed.* 550-558; Silius Italicus, XIII, 400-408.

<sup>50</sup> 30-33; 43 f.

<sup>51</sup> 33-35.

<sup>52</sup> 40 f.

other sorceresses,<sup>53</sup> the woolen image completely subdues the wax one to the point of throwing it into the fire, thus indicating that the heart of the obdurate lover was to melt completely under Canidia's spell.

The enchanted love-knots do not seem to have been used, unless we assume that their mere presence on the arms of the witches had a restraining influence; tied up the obdurate lover, so to speak.<sup>54</sup>

To sum up this passage: The object of the witches was, as Horace represents them, the control of a lover. The primary means used were the evocation of spirits to discover from them certain secrets, and especially sympathetic magic, based on the principle of *similia similibus*, as exhibited in the manipulations of the woolen and wax images. As contributory forces we have an invocation, *carmen*, magic potions, magic bones and other gruesome objects, magic herbs and magic love-knots. Both the garments of the witches and the sacrificial lamb are black. The witches are well past middle age, are barefooted, and wear their hair loose. The incantation, so prominent in other magic scenes, is not of great importance.

The general tone is satirical and disrespectful, and doubtless this is the attitude of Horace toward witches. But we need not on that account assume that the details are not essentially what the common man at Rome would have expected under similar circumstances.

If, now, we turn to Epode V, we find that Canidia<sup>55</sup> and Sagana<sup>56</sup> have been joined in the former's home by two other witches, Veia,<sup>57</sup> who may be an Etruscan from Veii, and Folia<sup>58</sup> of Ariminum, in Umbria. The latter seems to have

<sup>53</sup> This seems clear from Pliny, *N. H.* XXVIII, 157: *Veneficiis rostrum lupi resistere inveteratum aiunt ob idque villarum portis praefigunt.* Cf. also 142.

<sup>54</sup> For the general inhibiting effect of knots cf. Vergil, *Ecl.* VIII, 77; Pliny, *N. H.* XXX, 101; Servius, *ad Aen.* IV, 518; Marcellus Empiricus, X, 70; Pseudo-Pliny, II, 52; Leland, C. G., *Etruscan Roman Remains* (London, 1892), 170-172; Aeschylus, *Choeph.* 439.

<sup>55</sup> 15.

<sup>56</sup> 25.

<sup>57</sup> 29.

<sup>58</sup> 42.

had a very unsavory reputation in Naples and neighboring towns. Notwithstanding her wantonness she was a powerful witch.<sup>59</sup>

Again their object is to control an obdurate lover, this time called Varus.<sup>60</sup> Again they resort to magic practices involving the principle of *similia similibus*, and again we see the interplay of powerful countermagic.<sup>61</sup>

But this time they do not operate through the two puppets. Instead, a boy is to be buried alive, a boy with all the lively appetite of childhood; and delicious food is to be placed twice or three times a day near his mouth. But, as he is to be buried up to his chin, he will be consumed by intense desire which he will be unable to satisfy. And why? Merely that this consuming desire shall penetrate into his liver and marrow, so that these may become powerful constituents of magic potions.<sup>62</sup> Such marrow, they reasoned, could not fail to excite in others a like desire; though in the latter case it would be the desire of love rather than of food. Such a powerful potion (*venenum*) seems to have been necessary in the case of Varus, for previous "dire philtres of the barbarian Medea," containing all the known magic herbs, had failed, and Varus "walks at will, freed by the charms of some cleverer enchantress."

But the marrow was not the only constituent they were to use. The magic flame will soon reduce to helpful ashes "wild fig trees uprooted from tombs, funereal cypresses, eggs and feathers of a night-roving screechowl smeared with the blood of a hideous toad, herbs that Iolchus and Iberia, fertile in poisons, send, and bones snatched from the jaws of a starving bitch."<sup>63</sup> In this last we note again the introduction of the desire motive.

Again we have an invocation of Night and Diana,<sup>64</sup> but it is

<sup>59</sup> 43-46.

<sup>60</sup> 73.

<sup>61</sup> 61-72.

<sup>62</sup> 32-40.

<sup>63</sup> 17-24.

<sup>64</sup> 51-60.



short; and the mind of Canidia is turned to threats against the lover. She seems to have supreme confidence that her final effort will succeed, and invokes the divinities of witches more or less out of force of habit.

The personal appearance of the witches is not dwelt upon. Canidia's hair is loose, as in the earlier satire, and is entwined with what appear to be short vipers.<sup>65</sup> She bites her nails,<sup>66</sup> as was her unseemly habit. Sagana's hair is standing out from her head, giving it the appearance of a sea urchin.<sup>67</sup> This is the *caliendrum*, or high wig, of Satire I, viii. She is girt high.<sup>68</sup> Folia is called a "wanton hag" with special power to bewitch stars and moon.<sup>69</sup> Veia is not described at all. She is put to work digging the pit to receive the boy, and would appear to have been the youngest, the most muscular, and the least esteemed as a witch.<sup>70</sup> As to their respective ages we have no additional information. It is true that the boy in his final curse calls them "filthy hags,"<sup>71</sup> but that epithet adds little, if anything, to what we already knew.

Epode XVII<sup>72</sup> is a mock palinode in which Horace repeats practically all the charges he had previously made against Canidia. It contains some repetitions and some new ideas. Among the former we may mention the fact that Diana and Proserpine are invoked,<sup>73</sup> that spirits of the dead are evoked,<sup>74</sup> that the wax image of the person to be controlled is again mentioned.<sup>75</sup> Again the control of the moon, the stars and the heavens by magic is spoken of in quite the accepted fashion.<sup>76</sup> Instead of the love-knots of Satire I, viii, we find mention of the magic wheel known as the *rhombus*.<sup>77</sup> Circe<sup>78</sup> and

<sup>65</sup> 15 f.<sup>66</sup> 48.<sup>67</sup> 27 f.<sup>71</sup> 98.<sup>68</sup> 25.<sup>69</sup> 41-46.<sup>70</sup> 29-31.

<sup>72</sup> The chronology of the Epodes is uncertain, but it seems better to take Epode XVII as subsequent to V, and as a palinode to both Epode V and Satires I, viii, even though the references in XVII appear to be exclusively to the Satire.

<sup>73</sup> 2 f.<sup>74</sup> 79.<sup>75</sup> 76.<sup>76</sup> 5, 78.<sup>77</sup> 7.<sup>78</sup> 15-18.

Medea<sup>79</sup> are spoken of in the conventional manner as the arch-witches of mythology. Not only are magic spells mentioned as *carmina* and *nenia*,<sup>80</sup> but Horace pleads by the *books* of charms that have the power to call the fixed constellations from the sky.<sup>81</sup>

Of Canidia's personal history we learn some additional facts. She was reputed to be the associate of sailors and hucksters,<sup>82</sup> a hard hearted, impure hag of disreputable father,<sup>83</sup> who had endeavored to palm off another woman's son as her own.<sup>84</sup> She had learned her magic from old women of Paelignia<sup>85</sup> as well as from the Sabines and Marsi.<sup>86</sup> Her power over recalcitrant lovers—and this seems to be the only use she made of that power—was enormous, if we may take Horace's satirical exaggerations as expressing the popular conception of that power. Her spells banished youthful glow, and substituted a sallow skin stretched over a bony frame, bleached black hair white, and gave the obdurate lover no peace either day or night.<sup>87</sup>

Canidia's only object seems to have been to satisfy her lust; and the poet's great transgression consisted in his having "mocked Cotyttian rites, the sacred rites of unrestrained desire made known."<sup>88</sup> She was a true companion of her lustful sailors and hucksters.

Our search for witch lore in the writings of the elegiac poets leads to considerable disappointment. Tibullus, it is true, tells<sup>89</sup> of a *saga* who knows how to stop rivers in their courses by her *carmina*, and to control nature by the usual magic

<sup>79</sup> 35.

<sup>80</sup> 28 f.

<sup>81</sup> For the books of charms cf. Fahz, Ludovicus, *De Poetarum Romanorum Doctrina Magica* (Giessen, 1904), especially 166 f.

<sup>82</sup> 20.

<sup>83</sup> 40-49.

<sup>84</sup> 50-52; probably to blackmail the putative father.

<sup>85</sup> 60.

<sup>86</sup> 28 f.

<sup>87</sup> 21-26.

<sup>88</sup> 56 f. Cotytto was goddess of lewdness.

<sup>89</sup> I, 2, 41-64.

spells. She knows, too, how to evoke the shades of the dead to do her bidding, using for that purpose a black sacrificial victim together with bones from sepulchres. He has his lovers seek the aid of old women (*anus*) skilled in *carmina magica* to restore their ailing ladies to health.<sup>90</sup> But the poet, even though granting that the *sagae* exercise a fearful power through the evocation of spirits, magic herbs and the bones left by savage wolves,<sup>91</sup> concludes his most striking passage with the sage advice:<sup>92</sup>

At tu quam primum sagae praecepta rapacis  
Desere: nam donis vincitur omnis amor.

No less powerful than handsome gifts is beauty itself. "We grant," he writes,<sup>93</sup> "that witches' incantations can transfer crops from one field to another and draw down the moon, but the love-sick youth knows better."<sup>94</sup>

Quid queror heu misero carmen nocuisse, quid herbas?  
Forma nihil magicis utitur auxiliis:

In short, Tibullus uses certain magic formulae, part of the stock equipment, apparently, of Roman poets, but adds nothing new. He is purely academic in the handling of his material.<sup>95</sup> The same may be said of Propertius.<sup>96</sup>

Even Ovid has surprisingly little about actual witches, if we leave out of consideration mythological personages such as Medea and Circe, and divinities such as Carna. There are, however, two passages in the *Amores* worthy of our attention. In the first<sup>97</sup> an old *lena*, named Dipsas from her unquenchable thirst, is described as knowing all the magic arts and charms, the effective use of the *rhombus* and of *hippomanes*. By means of these she could control rivers, hail, clouds, sun,

<sup>90</sup> I, 5, 9-18.

<sup>93</sup> I, 8, 17-24.

<sup>91</sup> I, 5, 49-56.

<sup>94</sup> I, 8, 23 f.

<sup>92</sup> I, 5, 59 f.

<sup>95</sup> Cf., e. g., such passing references as II, 4, 55-60; III, 7, 61-63.

<sup>96</sup> Passages which might repay a perusal are I, 1, 19-24; II, 28B, 35-38; III, 6, 25-34; IV, 5, 9-20.

<sup>97</sup> I, 8, 5-18.

moon and stars. Moreover, it was suspected that she could transform herself into a bird, and that she had the double pupil characteristic of certain magicians.<sup>98</sup> She could draw great-grandfathers and their sires from ancient tombs and with her long charm split the solid earth.

Here we have some important new ideas. A drunken *lena* with a double pupil in one or both eyes has the power of transformation, which she probably used to accomplish her libidinous purposes. There is, in fact, a considerable number of passages<sup>99</sup> in Latin literature in which the word *lena* is to be translated *witch*, in addition to its usual meaning of procuress. It has even been maintained<sup>100</sup> that the "*lena* was, in antiquity, always looked upon as a witch." This view, though interesting, seems to me a little too broadly stated. As we proceed we shall find other witches who kept low taverns, which may have resembled the resorts of *lenae*. The power of transformation we shall also meet again.

The second passage from Ovid<sup>101</sup> is somewhat reminiscent of Horace. The poet, failing in sexual power, voices the suspicion that a witch is causing the trouble. "Can it be," he asks, "that some charmer or magic herb has injured him, or some *saga* bewitched his name by means of a purple wax image which represented him and driven slender needles into the middle of its liver?" With this we may compare a later line<sup>102</sup> in the same poem where the lover is said to have been bewitched, possibly, by a Circaean sorceress who has transfixed a woolen image of him.

It will be noted that both the *lena* of the first passage and the witch presumed to be operating in the second are interested primarily in controlling a man's sexual activities. And,

<sup>98</sup> Cf. Pliny, *N. H.* VII, 16-18; A. Gellius, IX, 4, 7 f.; and especially Smith, Kirby Flower, *Pupula Duplex*, in *Studies in Honor of Basil L. Gildersleeve* (Baltimore, 1902), pp. 287-300.

<sup>99</sup> Martial, IX, 29, 9 f.; Propertius, IV, 5, 1-20; Tibullus, I, 5, 48; Pseudo-Quintilian, *Declam. Maior.* XIV.

<sup>100</sup> Smith, Kirby Flower, in *A. J. P.*, XXVII, 324.

<sup>101</sup> *Amor.* III, 7, 27-35.

<sup>102</sup> 79 f.



though we have decided not to include any study of Circe and Medea in this paper, we should like to add here that Circe's transformations of Scylla<sup>103</sup> and Picus<sup>104</sup> were the direct result of her passion for Glaucus in the one case and for Picus himself in the other.

In general it cannot be said that the elegiasts add anything worth while to our knowledge of witches. They seem to be following a pretty well beaten track, and to show little originality. They have apparently made a careful study of the manual of magic of which Horace speaks.

The same may be said of the fabulist, Hyginus,<sup>105</sup> and the encyclopaedist, Pliny. This is quite surprising in the case of the latter, for he is one of our most valuable sources of information regarding Roman magic in general.<sup>106</sup> We find in Pliny, at most, a few unimportant references<sup>107</sup> to Thessalian witches, especially as drawing down the moon.<sup>108</sup> The agricultural writers are equally disappointing. Columella does, indeed,<sup>109</sup> advise that slaves be forbidden to go to *sagae* for advice, but these *sagae* appear to have been fortune tellers rather than witches.

Of the epic poets of the Silver Age, Statius contents himself with merely effective allusion to witches. A mother, for instance, searching for her dead sons on the field of battle, is likened to a Thessalian witch, who knows how to raise a human spirit, and for this purpose makes her way at night over a bloody battle-field to find the particular corpse which will best assist her efforts to compel the gods to do her bidding. The witch is old, as is the mother. At least, her eyes are called *antiqua*.<sup>110</sup>

In another passage of Statius<sup>111</sup> Tiresias, the seer, uses

<sup>103</sup> *Met.* XIV, 40-69.

<sup>104</sup> *Ibid.* XIV, 355-396.

<sup>105</sup> *Fabulae* XXII, XXIV, XXV, XXVI, XXVII, CXXV, CLXXXII, CXCIX concern either Medea or Circe.

<sup>106</sup> Especially bks. XXVIII and XXX.

<sup>107</sup> XXX, 6.

<sup>108</sup> XXX, 7.

<sup>109</sup> I, 8, 6; XI, 1, 22.

<sup>110</sup> *Theb.* III, 140-146.

<sup>111</sup> *Theb.* IV, 500-518.

magic means to open Tartarus to view, even though he speaks with utmost scorn of the *rabidus cantus* of Thessalian witches, making special mention of their use of corpses, bones and similar paraphernalia. In point of fact Tiresias' own performances were such as, "barring their criminal purpose, Colchian Medea and Circe, the transformer of men, practiced on Aeaeon shore."<sup>112</sup> The only point of difference, and that is very important, seems to have been the criminal object or purpose of the witches as contrasted with the more worthy object of the seer.

Valerius Flaccus deals, so far as concerns magic, only with Medea;<sup>113</sup> while Silius Italicus contents himself with a repetition, in very few lines, of Dido's efforts at magic,<sup>114</sup> together with a scant reference to Circe.<sup>115</sup>

Martial has one passage of two lines<sup>116</sup> concerning an old *lena* who knew how to draw down the moon with Thessalian *rhombus*; and a second,<sup>117</sup> also of two lines, concerning the number of brazen vessels beaten all over Rome to assist the moon, when she was "being cudgelled by Thessalian *rhombus*." In Juvenal<sup>118</sup> we read of a literary woman who alone *laboranti poterit succurrere lunae*; but there are no other direct references to witches, so far as I have been able to find.<sup>119</sup> Can it be that the "bad women" of the time of Juvenal and Martial were too sophisticated to believe in witchcraft?

Seneca's *Medea* contains, as we should expect, many refer-

<sup>112</sup> *Theb.* IV, 540-551. To the references already given for Statius we may add *Theb.* IX, 731-735.

<sup>113</sup> Passages worthy of note are: *Arg.* I, 58-63; 730-740; V, 446-454; VI, 150-157; 439-450; VII, 165-169; 198 f.; 210-212; 217-219; 245-247; 291; 352-370; 389-397; 458-475; 488-492; 498 f.; 520 f.; 573-575; 583-586; 625-638; VIII, 16-19; 68-89; 150-153; 342 f.; 351-368.

<sup>114</sup> *Bell. Pun.* VIII, 98-103; cf. *supra*, p. 14 f.

<sup>115</sup> *Ibid.* VIII, 439-442; 495-501.

<sup>116</sup> IX, 29, 9 f. For *lenae* cf. *supra* p. 23.

<sup>117</sup> XII, 57, 16 f.

<sup>118</sup> VI, 443.

<sup>119</sup> The *saga* mentioned in VI, 591 is probably a fortune teller; and the *venefica* of VI, 626 is probably a poisoner, though Duff (*Juvenal*, Cambridge, 1898, p. 265) calls her a witch.

ences to Medea's magic power;<sup>120</sup> but as we are leaving Medea out of our present discussion, and as her methods much resemble those of the earthly witch so elaborately described by Seneca's nephew, Lucan, we shall not delay over her here. References to witches in Seneca's other tragedies are few. In the *Hercules Oetaeus*<sup>121</sup> the nurse of Deianeira proves to be an adept at magic, though scarcely a regular witch. Yet she knows how to control nature, to evoke spirits from Hades, and bend lovers to her will. In other words, Seneca, like most of the Roman poets, uses the magic material of the myths in the accepted style, with little originality.<sup>122</sup> Only once does he desert his mythical material to express his pronounced disapproval of a magician, not a witch, who attempted to evoke the spirit of dead Pompey.<sup>123</sup>

Unlike his uncle, Lucan went for his subject matter to recent history, and in his description of Erichtho, the witch of Pharsalus, has given us perhaps the most celebrated, certainly the longest, magic scene in Latin literature.<sup>124</sup> On the eve of the battle of Pharsalus Sextus Pompeius prevails upon this powerful witch to raise a human spirit, and compel it to prophesy the outcome of the battle.

The passage attains its unusual length not because it contains materials unknown from other sources, but because the young author expands each constituent part to an extraordinary degree. Stripped of their excessive verbiage the lines yield, for our purposes, the following information:

Erichtho is a witch of uncertain age, who lives at Pharsalus, in Thessaly,<sup>125</sup> the traditional home of powerful witches. She scorns a dwelling in the town,<sup>126</sup> and by preference lives in deserted tombs.<sup>127</sup>

<sup>120</sup> Some of these are: 28-31; 268-271; 465-476; 562 f.; 575-578; 670-739; 752-811; 817-842.

<sup>121</sup> 452-472.

<sup>122</sup> Cf. also *ibid.* 523-533; 565 f.; *Phaedra* 420-422.

<sup>123</sup> Frag. 16 in vol. II, p. 60, Baehrens' *Poetae Latini Minores*.

<sup>124</sup> Pharsalia VI, 434-830.

<sup>126</sup> 510 f.

<sup>125</sup> 434-436.

<sup>127</sup> 511 f.; 519 f.

Like witches in general, her appearance is such as to surpass in hideousness any monstrous creation of the imagination.<sup>128</sup> Her terrible face is thin<sup>129</sup> and of Stygian pallor,<sup>130</sup> her hair loose.<sup>131</sup> When about to raise the prophetic spirit she ties back her hair with a wreath of vipers and puts on a dress of varied and discordant colors such as furies wear.<sup>132</sup>

She is proud of her reputation as a witch,<sup>133</sup> which credited her with power superior to that of other witches,<sup>134</sup> because of her knowledge and practice of new rites,<sup>135</sup> though one cannot detect any very great novelty in her magic procedure.

Not only does she scorn the gods and refuse them either prayers or offerings,<sup>136</sup> but she actually forces them to yield to her first magic word.<sup>137</sup> She does, it is true, invoke the infernal deities, but it is to command them, not to implore their help.<sup>138</sup> Indeed she even threatens them.<sup>139</sup>

Like all witches, she controls the forces of nature,<sup>140</sup> including the moon and the stars,<sup>141</sup> and can delay or hasten death.<sup>142</sup> She controls the spirits of men, both living and dead,<sup>143</sup> and is especially adept in evoking the spirits of the dead to force them to prophesy.<sup>144</sup>

Since Sextus Pompeius has consulted her for this last type of true prophecy, such as only reincarnated spirits can give,<sup>145</sup> the poet has loaded this part of the magic scene with a wealth of detail. The procedure was as follows: The corpse of a recently deceased man is washed, the chest opened, and filled with the blood of victims,<sup>146</sup> together with a very elaborate magic brew.<sup>147</sup> The spirit rises in answer to the invoca-

<sup>128</sup> 436.<sup>129</sup> 515 f.<sup>130</sup> 516 f.<sup>131</sup> 518; 655.<sup>132</sup> 654 f.<sup>133</sup> 604 f.; cf. also 662-667.<sup>134</sup> 508.<sup>135</sup> 509; 577 f.<sup>136</sup> 523-525.<sup>137</sup> 492-499; 527 f.; 606 f.; 633-636; 662-665.<sup>138</sup> 695-718; note especially *parete precanti* of 711 and *paretis* of 744.<sup>139</sup> 725-749.<sup>140</sup> 438-491.<sup>141</sup> 499-506.<sup>142</sup> 608-610.<sup>143</sup> 529-531.<sup>144</sup> 619-623; 660 f.; 667-827.<sup>145</sup> 771-773.<sup>146</sup> 667 f.<sup>147</sup> 670-684.



tion,<sup>148</sup> but hesitates to reenter the body which it once animated.<sup>149</sup> At this Erichtho beats the corpse and threatens the nether gods.<sup>150</sup> The spirit then enters the body, which is re-vivified only to the extent that it can speak the words of prophecy.<sup>151</sup>

To accomplish her magic ends Erichtho makes use of ashes from the funeral pyre, bones still warm, even funeral torches as well as parts of the bier and shroud.<sup>152</sup> Eyes, nails and hair are gathered from bodies buried in tombs.<sup>153</sup> She releases dead bodies from the hangman's noose or the cross, and seeks for numerous and various types of corpses and their parts.<sup>154</sup> Even living persons are killed to furnish parts<sup>155</sup> and infants are torn from their mothers' wombs.<sup>156</sup>

But all these details are but contributory to her powerful *carmina*, delivered in such a voice as to make all Hades shudder.<sup>157</sup> Indeed, Erichtho herself indicates<sup>158</sup> that *verba* and *herbae* (*magicae*) are the two most powerful constituents of magic.

Such magic acts were, of course, performed on starless nights,<sup>159</sup> and in this particular instance the scene was a deep and gloomy cave, suggestive of Hades.<sup>160</sup>

It is interesting to note that no mention is made of Erichtho's private or non-professional life, or of her ordinary means of subsistence. So far as we are told she is not wanton, as are the witches previously considered; and she neither requires nor receives from Sextus Pompeius any reward for her elaborate bit of witchcraft. She seems to have been content with his flattery, and with the thought that after the great battle she would have an abundant crop of human corpses with which to work her magic charms.

<sup>148</sup> 695-718.

<sup>149</sup> 719-725.

<sup>150</sup> 725-749.

<sup>151</sup> 750-820.

<sup>152</sup> 533-537.

<sup>153</sup> 538-543.

<sup>154</sup> 543-569.

<sup>155</sup> 556 f.

<sup>156</sup> 558 f.

<sup>157</sup> 685-694.

<sup>158</sup> 768.

<sup>159</sup> 518 f.

<sup>160</sup> 640-653.

Of all the Roman poets, excepting Horace, Lucan most nearly describes an actual witch; yet we have the feeling throughout his long portrayal that nearly all of what the poet writes is conned from second-hand sources. Unlike Horace, Lucan apparently had never heard with appreciation a genuine folk witch-story. He is thoroughly literary and largely conventional, even though very dramatic.

It is in the prose romance of Apuleius that we shall find the true sequel of Horace's Canidia stories. In the *Metamorphoses* of Apuleius we find two witches, Meroe and Pamphile, who especially interest us; not to mention the nameless *cantatrices annus* of Book II,<sup>161</sup> and the equally nameless old wise woman (*saga*) of Book IX.<sup>162</sup>

Meroe<sup>163</sup> is an old woman (*annus*), but handsome still,<sup>164</sup> into whose clutches a man named Socrates has chanced to fall. So wanton is she that she forced the inhabitants of her own and distant countries to fall in love with her.<sup>165</sup> Like the witch of Pharsalus she has the power "to bring down the sky, to bear up the earth, to turn the waters into hills and the hills into running waters, to call up the terrestrial spirits into the air, and pull the gods out of the heavens, to extinguish the planets, and to lighten the very darkness of hell."<sup>166</sup>

To be more specific, Meroe with a single word had turned a certain lover of hers into a beaver because he loved another woman. Indeed, we may say that Meroe, unlike Canidia, specialized in transformations. She changed a rival inn keeper into a frog; she turned an advocate who had made disparaging remarks about her into a ram; she condemned the wife of a man whom she loved to never-ending pregnancy for having muttered a slighting witticism at her expense.<sup>167</sup>

<sup>161</sup> 22-30.

<sup>162</sup> 29-30.

<sup>163</sup> The story is found in *Met.* I, 7-20.

<sup>164</sup> *scitula*; cf. *Met.* I, 7.

<sup>165</sup> *Met.* I, 8.

<sup>166</sup> *Met.* I, 8. Translation by Adlington (Loeb).

<sup>167</sup> *Met.* I, 9.

When the men of her village called a council to devise means of punishing her, she uttered her incantations and evoked the spirits of the dead so effectively that each man was barred in his own home for two days. The leader of the council she sent through the air at night, together with his house and the ground upon which it was built, to a distant point.<sup>168</sup>

When Socrates attempted to abandon Meroe,<sup>169</sup> she and her sister Panthia<sup>170</sup> entered his bedroom at midnight, in spite of barred doors, with lamp, sponge and naked sword. This last she thrust up to the hilt into the left side of Socrates' neck, caught the gushing blood into a small bladder in such manner that not a drop was lost, thrust her hand down through the wound and pulled out the heart of the unfortunate man. Then Panthia stopped the wide wound in the throat with her sponge.<sup>171</sup>

The scene of this episode, like Lucan's, is in Thessaly, and the witch is undoubtedly of the type traditionally assigned to that unhallowed locality. The story has, however, the ring of the true folk tale, and resembles the Canidia stories in this respect. Here again the witch is old, though she retains her beauty to some extent, and certainly retains an unusually strong sexual desire. It is as a result of this that she transforms one man into a beaver, condemns another lover's wife to perpetual pregnancy, and deprives Socrates of his blood and heart. These latter she carefully preserved, no doubt, as constituents of future magic love concoctions. Usually such violent measures were resorted to against those who were trying to break up her illicit relations. Her specific acts of magic, so far as these details are mentioned, are accomplished by means of incantations<sup>172</sup> and the evocation of spirits. This latter seems to have been done through a control of

<sup>168</sup> *Met.* I, 10.

<sup>169</sup> *Ibid.* I, 12 f.

<sup>170</sup> The name is significant. See Roscher, *Ausführliches Lex. der Griech. und Röm. Myth.*, s. v. *Pandia*.

<sup>171</sup> *Met.* I, 13.

<sup>172</sup> *Ibid.* I, 10.

*numina*, as the words *tacita numinum violentia*<sup>173</sup> show. There is very little said, however, about these *numina*, and there is no invocation of a formal kind. She controls the *numina*; she does not pray for help, so far as we can see.

A second witch, also a Thessalian, is Pamphile,<sup>174</sup> whose very name betrays her libidinous nature, and of whose *artes* and *illecebrae* the hero of the story is bidden to beware. "She is accounted," says his monitor, "the most chief and principal magician and enchantress of every necromantic spell: who by breathing out certain words and charms . . . can throw down all the light of the starry heavens into the deep bottom of hell, and reduce them again to the old chaos. For as soon as she espieth any comely young man, she is forthwith stricken with his love. . . And then if any accord not to her filthy desire . . . she either turneth them into stones, sheep or some other beast as herself pleaseth, and some she presently slays and murders. . . For she burneth continually. . ."

This reputation the hero soon learned to be deserved, for within a few days Pamphile's maid informed him: "Now shall you know . . . the hidden secrets of my mistress, unto which the powers of hell do obey, and by which the celestial planets are troubled, the gods made weak, and the elements subdued."<sup>175</sup> "For now she loveth to distraction one young Boeotian . . . on whom she employeth all her sorcery and enchantment. . . And you shall know that when she saw yesternight this Boeotian sitting at the barber's, . . . she secretly commanded me to gather some of the hair of his head which lay dispersed upon the ground, and bring it home." The story continues by telling how the barber forced the maid to give up the hairs, and how in fear of her mistress she substituted the hair of some yellow goats. "And so when night came, . . . Pamphile went up to a high gallery of her house. . . . She gathered together all her accustomed substance for

<sup>173</sup> *Met.* I, 10.

<sup>174</sup> *Ibid.* II, 5-10; 15-23.

<sup>175</sup> *Ibid.* III, 15.



fumigations, she brought plates of metal carved with strange characters, she prepared the bones of birds of ill omen, she made ready the members of dead men brought from their tombs. Here she set out their nostrils and fingers, there the nails with lumps of flesh of such as were hanged, the blood which she had reserved of such as were slain, the skulls snatched away from the jaws and teeth of wild beasts. Then she said certain charms over entrails still warm and breathing, and dipped them in divers waters, as in well water, cow milk, mountain honey and mead; which when she had done she tied and lapped up the hair together, and with many perfumes and smells threw it into a hot fire to burn." The net result was that the goat skins, not the Boeotian youth, came walking up to her door.<sup>176</sup>

Here, certainly, the outstanding and dominating characteristic of the witch is *libido*. Moreover, like Meroe, Pamphile is heartless in her treatment of those who deny or scorn her passion, resorting to transformations as a means of punishment.

In this passage we see what a witch's practice room was really like, and how she went about that practice. As we should expect, the room faces the east,<sup>177</sup> and is called *feralis*. Her apparatus consists of gruesome objects such as we have become acquainted with before. The only new detail is a metal plate with unknown letters or characters carved upon it.<sup>178</sup> The vital part of the performance is the placing of the hairs of the lover, as she supposed, in the fire.<sup>179</sup> This is parallel to Dido's treatment of the sword and other belongings of Aeneas;<sup>180</sup> and in both instances we are dealing with contagious magic. Anything that has ever come into contact with, or formed a part of, the individual can be used to control that individual. In this case Pamphile's art was said to be

<sup>176</sup> *Met.* III, 16-18.

<sup>177</sup> *Ad orientales*, ch. 17.

<sup>178</sup> *Ibid.*

<sup>179</sup> *Met.* III, 18.

<sup>180</sup> Cf. *supra*, p. 14.

*inexpugnabilis*, and to work through the blind power of divinities forced to do the witch's bidding.<sup>181</sup>

Now Lucius, the hero of Apuleius' story, had long desired to see Pamphile do her magic acts. This desire is gratified a few days after his arrival; for the witch, unable to obtain a requital of her love by other arts, decides to transform herself into a bird and fly *ad suum cupitum*.<sup>182</sup> This interesting procedure Lucius looked upon through a crack in the door, and reported:<sup>183</sup> "First I saw how Pamphile put off all her garments, and took out of a certain coffer sundry kinds of boxes, of which she opened one and tempered the ointment therein with her fingers, and then rubbed her body therewith from the sole of the foot to the crown of the head: and when she had spoken much privily with the lamp, she shook all the parts of her body, and as they gently moved, behold I perceived a plume of feathers did burgeon out upon them, strong wings did grow, her nose was more crooked and hard, her nails turned into claws, and so Pamphile became an owl. . ."

Here we have a simple use of magic ointment without any sacrifice or incantation. Moreover, the retransformation to human shape was accomplished in equally simple fashion by having the maid give the returned mistress-owl a bath and a drink, both composed of a bit of anise and some laurel leaves mixed with spring water.<sup>184</sup>

A third Thessalian story, told by a dinner guest, of his personal experience with witches in Larissa, is somewhat different,<sup>185</sup> in that it concerns unnamed "women witches, who bite off by morsels the flesh of the faces of dead men, and thereby work their sorceries and enchantments."<sup>186</sup> "These witches do change their skin and turn themselves at will into sundry kinds of beasts . . . ; sometimes they are transformed

<sup>181</sup> *Met.* III, 18, *caeca numinum coactorum violentia*.

<sup>182</sup> *Ibid.* III, 21.

<sup>183</sup> *Ibid.*

<sup>184</sup> *Ibid.* III, 23.

<sup>185</sup> *Ibid.* II, 20 ff.

<sup>186</sup> *Ibid.* II, 21.

into birds, sometimes into dogs and mice, and sometimes into flies; moreover they will charm the keepers of the corpse asleep. . . ." We are not here concerned with the amusing sequel. We wish merely to note the fact of transformation of witches as a means of obtaining parts of corpses, and incidentally to suggest that this is probably the reason why until recently among us the dead were carefully watched at night, and cats were especially feared in that connection.

With one important exception,<sup>187</sup> in all the cases so far spoken of we have dealt with witches who were endeavoring to forward their own desires in their own way. There must, however, have been occasions when these same witches were besought by others to foretell the future or to bring about some result desired by those who consulted them. In such cases a money reward was doubtless the main consideration.

Though such cases are rare, we are able to cite two minor instances, one from Apuleius and the other from Petronius. These both have to do with *libido*, though not the *libido* of the witch. The former tells the story<sup>188</sup> of a baker's wife, caught in adultery, who wished to regain the lost love of her husband. All other feminine arts failing, she entreated an enchantress, with promise of rich reward, either to reconcile her husband to her, or "to send some ghost or devil into him to dispossess the spirit of her husband." The witch, having failed to regain the husband's love for the wife, sent an "ill spirit of a certain woman that had died violently to kill him by means of her conjurations. . . About noon there came suddenly a woman into the mill-house, very sorrowful, clothed in wretched rags, and in gloomy garb like those that are accused of a crime, half naked and with bare and unshod feet, meagre, exceeding pale and thin, ill-favored, and her hair, which was growing towards white, mixed with cinders and scattered upon her face. The woman gently took the baker by the hand,

<sup>187</sup> The witch of Pharsalus.

<sup>188</sup> *Met.* IX, 29-30.

and . . . led him into his chamber, where they remained a good space with closed doors." Soon thereafter the baker was found to have hung himself; but the woman had disappeared. In this story it is quite apparent that the witch's most powerful weapon was the spirit of one who had died a violent death. This spirit she doubtless evoked and forced to do her bidding.

Petronius tells the story<sup>189</sup> of how a certain *anicula* treated an impotent young man in the following manner: "She drew from her bosom a magic cord twisted together with threads of various colors, and wound it around my neck. Then she mixed some dust with spittle on her middle finger and smeared it on my forehead despite my objections." After an apparent lacuna the text proceeds: "When this charm had been pronounced she ordered me to spit thrice, and thrice to cast into the fold of my garment pebbles over which she had previously uttered her charms, and which she had wrapped in purple. After this she began to massage my mid-parts. . ."

Again the witch is old. She employs her incantation not only over the materials she is to use, but speaks her charm openly as a part of her magic act. She employs the *licium* of many colors, she is familiar with the magic power of the number three, and of the purple color.

That, however, magic could destroy as well as restore sexual potency is shown by the taunt of a mistress, aimed at the same young man: "Quae striges comederunt nervos tuos?"<sup>190</sup> if, with Ovid,<sup>191</sup> we assume that *striges* were birds created by magicians.

My conclusions are obvious and have to a great extent been anticipated. Nearly all the Roman poets treated of mythological or far distant witches in a rather conventional manner.

<sup>189</sup> *Sat.* 131. Cf. *Sat.* 134 for another story of quite similar content, where the officiating witch is a priestess of Priapus.

<sup>190</sup> *Ibid.* 134.

<sup>191</sup> *Fasti* VI, 141 f.



So much alike are these treatments that, though they vary in length and elaboration from the passing reference to the very long witch scene of the *Pharsalia*, we may rather safely conclude that the Roman poets drew upon a well known store of magic formulae, such as we have now recovered in the *magicae papyri*, upon the Greek poets, and even upon a generally known *liber magicus*.<sup>192</sup>

Horace, on the contrary, though he followed the usual practice of the poets in many respects, stands almost alone in introducing a living witch of his own time and city. Indeed, the scene of Epode V, in which the boy is buried alive, finds its parallel in at least one inscription.<sup>193</sup> This realism is due in part, no doubt, to the general character of his Satires and Epodes.

Our best commentary on Horace is found in the prose romance of Apuleius. Though the latter expressly states<sup>194</sup> that he is following a Greek original, the details are so clearly drawn from folk beliefs and folk tales that we may fairly assume their validity for Roman witches, as the common man at Rome thought about such witches.

Canidia, therefore, is probably a typical witch painted from life, and endowed with all the qualities which the imagination of the lowly could suggest. All that Horace says of her agrees with what we know of other witches. She was, like them, an old woman of haggard features and ashen complexion. Her social position at Rome was the lowest. Horace calls her the companion of hucksters and sailors. As the other witches whom we have studied were either procuresses or keepers of low wine shops,<sup>195</sup> it is likely that Canidia met her friends and customers through the same convenient avenue of trade.

The methods of all are alike, involving altars, infernal divinities, human corpses and their parts, magic herbs, images

<sup>192</sup> See L. Fahz, *op. cit. passim*, but especially pp. 144-170. With his conclusions I am in substantial agreement.

<sup>193</sup> Dessau, *Inscript. Selectae*, 8522.

<sup>194</sup> *Met.* I, 1.

<sup>195</sup> Cf. note 100.

of the persons to be controlled and objects that formerly belonged to them, evocation of spirits, incantations.

They are all libidinous far beyond what one would expect from their years. Indeed, if we ask why any Roman woman should wish to become a witch, the answer seems to be—*libido*.

## ROMAN RESTORATION COINS\*

THOMAS S. DUNCAN

The subject of "restoration" coins has been treated in almost all the handbooks on numismatics, even in the elementary works, and hence is more or less familiar to all students of numismatics. The pioneer in the discussion was the famous Eckhel and not any considerable addition has been made since his day to definite knowledge on the subject. The chief reason for this is that very few additional coins of the restoration type have come to light. Hence the contributions subsequently made to the subject have been in the way of working over the material again and drawing more careful deductions from it. Within recent years two articles by Mattingly have appeared in the *Numismatic Chronicle*, which in most points treat the subject as thoroughly and carefully as may be done and which clear up many difficulties.<sup>1</sup> In these articles the writer admits that he adds little in the way of fact. His discussion of the subject corrects Gneecchi and Cohen in many places in their description and interpretation of coins and supplies, in most instances, a more rational explanation of the type.

Between Eckhel's work and the articles of Mattingly are many other articles, most noted among which is that of the famous Italian numismatist, Francesco Gneecchi.<sup>2</sup> His treatment of the subject is thorough, though it does not reach certainty on some points and is not in places even convincing. In the course of this paper it will be cited often.

Extremely ingenious is the theory of Mowat, though put forward with no degree of sureness.<sup>3</sup> According to it there

\* This paper does not, for the professional numismatist, add anything new to the knowledge of the subject. It presents some features of the subject from a slightly different point of view.

<sup>1</sup> *Num. Chron.*, 1920, pp. 177-207; *id.* 1926, pp. 232-278.

<sup>2</sup> *Riv. Ital. di Num.* 1897, pp. 123 ff.

<sup>3</sup> *Congrès Internationale de Numismatique*, Paris 1900, pp. 210 ff.

was a great number of dies at the mint at Rome. When one of these was lost or broken another was made to replace it. The so-called "restored" coins are just occasional strikes from these dies. Gneecchi disposed of the theory summarily and Mattingly cites the main objections to it as follows: (1) It is by no means certain that there was a collection of dies. (2) If there had been, the coins re-issued should be alike, whereas they vary. (3) The "restored" coin does not always reproduce the original. (4) The theory does not account for the brief character of the period of re-issue. However, in justice to the theory it must be said that the author really answers Mattingly's first and second points by supposing that the dies kept served only as models for the making of other dies and the new die might vary from the pattern type. Hence the number of original dies kept may not have been very great. The article is extremely important as giving a résumé of the discussion on the type up to 1900.

"Restoration" coins form one class, and the most interesting class, of coins that may be put under the general head of posthumous coins. The other two are (1) commemorative coins, and (2) "consecratio" coins. (Pl. I, 1, 1A, 2.) Commemorative coins were struck early in the Empire in honor of a member of the Imperial family or a predecessor in office. One side of these coins has the portrait of the person commemorated, the other the name—rarely the portrait—of the emperor who issues the coin. The custom of commemorating the illustrious dead was taken over from the Republic by the Empire and became associated with the cult of the deified emperor.<sup>4</sup> "Consecratio" coins, struck by the emperor and the Senate, have on one side (the side usually, though erroneously, called the obverse) the portrait of the deified emperor or empress, on the other side an emblem of the "consecratio" (a pyre, an eagle or a wagon) and the legend CONSECRATIO without the name or portrait of the emperor who orders the

<sup>4</sup> Eckhel, *Doctrina Numorum*, V, p. 97 ff.



"consecratio." The coin is without date. It is issued, as a rule, immediately after the accession of the new emperor, though there are some notable exceptions to this. In the general discussion of the "restituit" coins the "consecratio" type must be given more attention. It is Mattingly's opinion that they hold the key to the understanding of the former. He says: "The 'restored' coins can only be fully understood in relation to other commemorative issues."

"Restored" coins, at first with no inscription that differentiated them, but later distinguished by the inscription on the obverse RESTITUIT or REST (rarely REN), are comparatively few in number. The names of emperors and other distinguished persons whose coins were restored are few, and very few emperors issued restorations. The period during which the fashion of striking them lasted was very brief. The earliest were struck by Vespasian (without inscription defining their character), Titus and Domitian; the last, with the exception of the "consecratio" coins, were struck by M. Aurelius associated with L. Verus.

Under Titus, Domitian and Nerva bronze "restored" coins were struck, sestertii, dupondii and asses. Gneecchi was of the opinion that the Senate struck the coins; Mattingly explains them by saying that the appearance of the letters S. C. along with the imperial title indicates that Titus associated the Senate with him in the practice of commemorating past emperors, and that the form of the coins is an indication that the Senate recognized that coinage was in the hands of the emperor.<sup>5</sup> Under Titus we find "restored" coins of Augustus, Livia, Agrippa, Tiberius, Drusus, Nero Drusus, Germanicus, Agrippina I, Claudius, Galba. (Pl. I, 3, 4, 5.) In the time of Domitian "restored" coins of Augustus, Agrippa, Tiberius, Drusus, Germanicus, Claudius were struck. (Pl. I, 6.) In the name of Nerva appeared coins of Augustus and Agrippina I. (Pl. II, 7.)

<sup>5</sup> Mattingly, *Num. Chron.* 1920, p. 182.



PLATE I

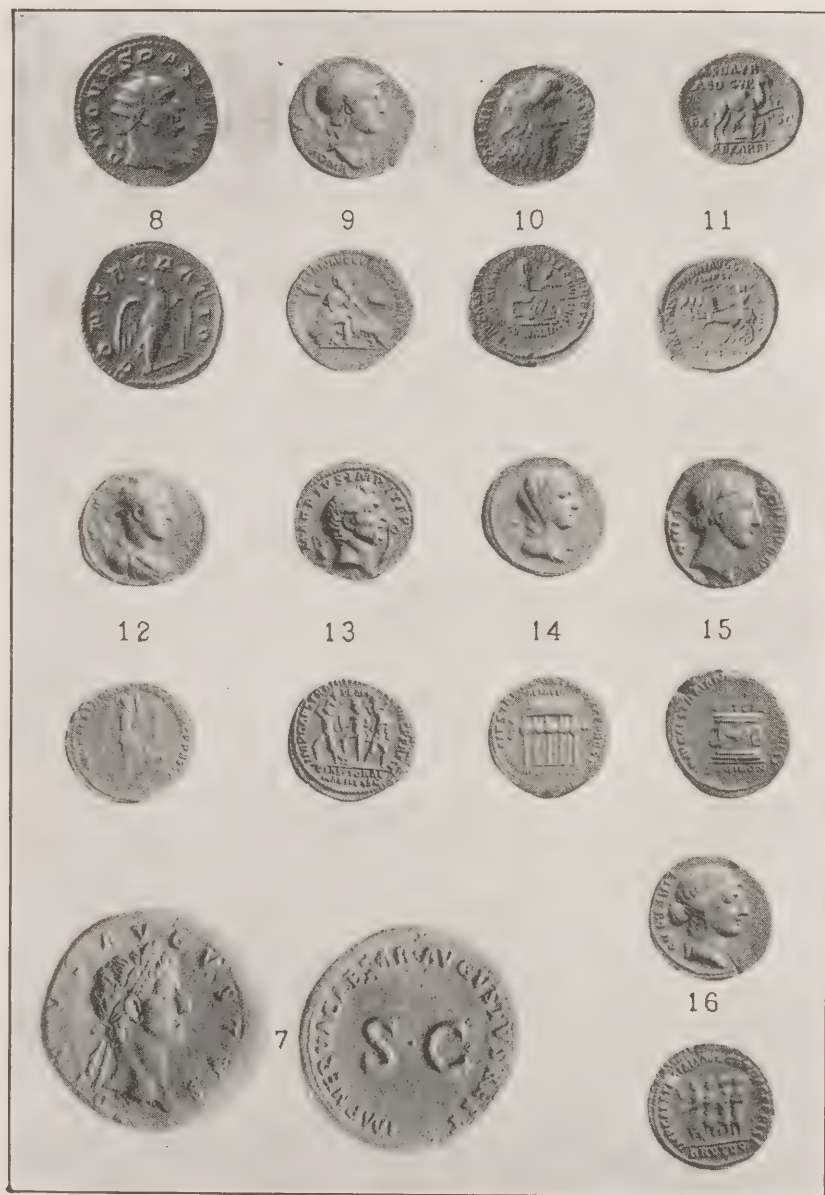


PLATE II

With Nerva, senatorial restorations ended, and restorations by emperors began. The following emperors struck them: Nerva, Trajan, Hadrian and M. Aurelius (associated with L. Verus). Trajan also restored many coins in gold.<sup>6</sup> It may be added too that the "restorations" of Nerva, Hadrian and M. Aurelius are exceptional: only one or two types of each appear. Those of Trajan are the only real series after Titus and Domitian. Nerva restored a denarius of Augustus that has come down in a single example.<sup>7</sup> Hadrian restored a denarius of Trajan and an Asiatic medallion of Augustus, each known by only one or two examples.<sup>8</sup> M. Aurelius and L. Verus restored only the legionary coin of M. Antonius, LEG. VI.

The Republican "restorations" of Trajan are treated at greater length in another section of this paper. Fifty-one Republican denarii are reproduced, celebrating thirty-three different families. His known imperial restorations are sixteen in gold, recording the names of Julius Cæsar, Augustus, Tiberius, Claudius, Galba, Vespasian, Titus, Nerva. He has two in silver in memory of Augustus.<sup>9</sup>

After Trajan there were no more restorations for a century and a half, with the exception of the coin of Antony struck by M. Aurelius and L. Verus, till the time of Philippus and Gallienus. These latter were struck in base alloy. They are not rightly called "restoration" coins, but are issued in honor of former emperors—Augustus, Vespasian, Titus, Nerva, Trajan, Hadrian, Antoninus Pius, M. Aurelius, Commodus, Sept. Severus. They are "consecratio" coins with lighted altar or eagle (Pl. II, 8). None of these were intended as "restoration" coins unless it be the exceptional coin that reproduces the coin of Trajan with the inscription VIA TRAIANA. This last, from a consideration of its fabric,

<sup>6</sup> Mattingly, *Num. Chron.* 1926, pp. 276-279.

<sup>7</sup> *Coh. Augustus* 564.

<sup>8</sup> *Coh. Trajan* 603: cp. Mattingly and Sydenham II p. 342, no. 25 A.

<sup>9</sup> *Coh. Aug.* 418: *Agrippa and Aug.* 1.



facial features, and the relative purity of the metal, is judged to have been issued in the time of Gordianus Pius.<sup>10</sup> The others are thought to have been struck in the time between Philippus and Gallienus, perhaps at the time of the thousandth anniversary of the city of Rome. Gneecchi suggests that they may have been struck by C. Trebonianus Gallus to commemorate the repulse of the Goths by Decius.<sup>11</sup>

#### DEFINITION AND CHARACTERISTICS OF RESTORATION COINS

The two other posthumous coins, the "commemorative" and the "consecration," are original coins, the "restoration" coins are re-struck. The definition of these usually given would indicate that restorations are exact reproductions of originals. This is not so. "Restorations" of Republican denarii struck by Trajan are the most faithful reproductions of all. Next in order of truth to original were those struck by the Senate recalling ancient types of former emperors. The least faithful are the Imperial silver and gold. The reason for this is plain. Republican types are so characteristic that the one who reproduced them must do so faithfully or risk confusing them and being guilty of anachronism. If a given family, moreover, was to be commemorated, the peculiar features on the obverse and the reverse must be reproduced. There were few exceptions to this.

In Imperial restorations in bronze various differences of type, of legend, and of manner are met. Here some asses bear the type of an ancient sestertius and some types appear which are not found on the ancient originals. These differences are greatly accentuated on the silver and gold. This was pointed out by Gneecchi in an early article, in which he showed that, of seventeen "restorations," only seven were exact in obverse and reverse.

<sup>10</sup> Coh. *Trajan* 667.

<sup>11</sup> Gneecchi, *Monete Romane*<sup>3</sup> p. 349. Cp. Kubitschek, *Num. Zeitschr.* 32, 185 ff.

## ORIGINS OF THE RESTORATIONS

As said above, the early Empire took over from the Republic the custom of commemorating the illustrious dead, and this custom became associated with the cult of the deified emperor. On the coins of successors appear the inscriptions, Divus Julius, Divus Augustus, Divus Claudius. Divus Augustus had a popular appeal in the Empire he had founded.<sup>12</sup> He was commemorated by Tiberius, Caligula, Claudius, Galba, Vespasian. Tiberius and Caligula were not consecrated, but there is a coin of Caligula with portrait and two stars, perhaps one for Tiberius and one for Augustus. Caligula had an unfulfilled intention to give divine honors to Tiberius. According to Dio Cassius (LIX, 3, 7) Caligula at first demanded divine honors for him. The worship of Claudius was let fall into neglect by Nero after the early years of his reign, but revived later by Vespasian. So, too, persons near to the emperor were deified—Agrippa under Tiberius; Germanicus and Agrippina I under Caligula; these two with Livia, Nero Drusus and Antonia under Claudius. All metals were used in these commemorative coins. Nero neglected the deification of his predecessors; his interest was centered too much on himself. He did deify Poppaea and her infant daughter Claudia after their death.

In discussing this phase of the subject, Gneecchi observed that several questions had been asked concerning "restoration" coins which up to his time had not been answered satisfactorily. The questions were: Why did the Senate take the initiative and not the emperor? Why did this issue of coins last for such a brief period? Why, then, after the issues by the Senate ceased did the emperors issue for only a brief period? And, finally, what criterion was applied in the choice of an emperor to be commemorated? On the last question he maintains that merit could not have been the criterion. For,

<sup>12</sup> Gneecchi, *op. cit.* p. 131. Mattingly, *Num. Chron.* 1920 p. 174.

he observes, though we have not coins of Caligula or Nero, we have coins of Tiberius and Claudius. Again, why did Nerva have coins only of Augustus and Agrippina I and not of the good Titus or the great Vespasian? If merit were the criterion, what was the motive that induced M. Aurelius and L. Verus, years after restorations had ceased, to restore the coin of M. Antonius, with the inscription, LEG. VI.?

Mattingly proposes for himself in part the same problems. However, because of the difference in his explanation of the coins the problems with him are not identical. The two questions that he asks and that cover much the same ground as Gneecchi's are: Why was *Aes* coinage used for experiment rather than gold or silver? What were the reasons that prompted selection of types? On several points he takes issue sharply with Gneecchi.

Gneecchi starts out with the idea that it was "fashion" which prompted the Senate in the early Empire to adopt the custom of commemoration. With Titus and Domitian also it was a matter of fashion. Wishing to recall the memory of Augustus they conceived of the idea of "restorations," probably in the year A. D. 80-81, in Titus' eighth consulship. The idea found favor and took root. Then Trajan, then Hadrian, and finally, M. Aurelius and L. Verus followed the custom. This does not satisfy Mattingly. He visualizes the situation thus: On the extinction of the Julio-Claudian dynasty the question must have confronted their successors as to what their attitude was to be to the dynasty that had passed. From all that can be gathered Galba leaned decidedly to Augustus; Otho, like Nero, looked for support to the troops and the populace; Vitellius seems to have struck out on independent lines. He accepted the orthodox title of Augustus under pressure, steadily refused the title of "Cæsar" and glorified chiefly in the title of "Germanicus" drawn from his legions who had raised him to power. Vespasian on the other hand clearly was attached to the old dynasty, struck coin types of

Augustus, with the anniversary of the battle of Actium as a starting point, of M. Antonius, and the Republic, associated with his own portrait or that of his sons. Titus followed him. He struck not only the reverse but the whole coin and added, "Titus Divi Vespasiani restituit." Why he took pains to define his act so precisely as the inscription indicates is an interesting question. Mattingly is of the opinion that Titus' lack of close connection with the dead was the reason, and that it is a profession of his adherence to the Julio-Claudian line.

Another reason, according to Gneecchi, that may account for the issue of restoration coins is to be found in the fondness for the celebration of anniversaries. If the "restorations" had dates, we should find many interesting coincidences. During the reigns of Titus and Domitian the one-hundredth anniversary of the death of Agrippa occurred, the fiftieth of the death of Agrippina, of Tiberius and of Claudius. Perhaps there may have been others. The coinage did not seem to regard whether the name which the event celebrated was glorious or not, if it gave occasion for celebration at the moment. Hence it would seem that the choice of persons was not very deliberate, sometimes not free or voluntary. It depended more on circumstances or passing events. If one reflects on modern holidays, how many will he find afford a rational explanation after their institution?

Here again Mattingly differs fundamentally with Gneecchi. He insists that Gneecchi's postulate of haphazard choice for the celebration of anniversaries must be abandoned. The emperors, he maintains, and Senate worked together in the choice of the heroes of the Julio-Claudian line whom they deemed worthy. The series is an official judgment on the records of past emperors. A consideration of the omissions from the list bears this out: Caligula, Nero, Otho, Vitellius do not appear. Nero and Drusus Cæsar, who appear only on dupondii of their brother Caligula, played no part in the af-



fairs of the time. Hence their omission is natural. The one difficulty is the absence of Antonia. Her husband and children were included and she was a great Roman lady who left behind a gracious memory. Perhaps some coins of her were struck that have not come down.

A consideration of those included in the list is also interesting. A difficulty is presented by the inclusion of Tiberius and Claudius. How did they come to be commemorated? Tiberius spent the greater part of a long life in the service of the state, in administration of the provinces. The Senate was outraged by his last terrible years and hence it was possible for the historian Tacitus to represent him as a monster of iniquity. Mattingly observes that Tacitus' successful blackening of the character of Tiberius is a tribute to his literary genius, but that it does not speak well for his regard for truth. In A. D. 80 the memory of Tiberius was held in honor. The case is similar with Claudius. It was impossible for Tacitus to make of him a monster of iniquity, but he was successful in putting on him the stigma of imbecility. His honors were neglected by Nero but restored by Vespasian. The commemoration of Agrippina I by Nerva may be due to his having enjoyed her patronage in youth. Anyhow, Mattingly is positive that the choice for deification is based upon merit and it would seem that he is right in his contention.

The answer to the other question that Mattingly asks, why restorations were made in *aes*, has been given in part. The other phase of the question may be put thus: Why is the Imperial title found with REST. on senatorial coinage? Under Vespasian the policy of restoration had been the policy of the emperor, and "restorations" were issued for the most part in gold and silver. As pointed out above, Titus wished to associate the two chief powers in the state in the commemorative coins. The implications of the association are noted above.

## TRAJAN'S REPUBLICAN "RESTORATIONS"

The starting-point of the debate on the reason for Trajan's restoring coins is found in Dio Cassius (LXVIII, 15) who has this to say of Trajan's reform of the currency, τὸ νόμισμα πᾶν τὸ ἐξίτηλον ἐξεχώνευσεν. In the Epitome the sentence stands beside the mention of other additions which Trajan made to the comfort of citizens. The preceding sentence tells how Trajan drained the Pomptine marshes and constructed roads through them. The building of the roads would facilitate trade between the towns of Latium and Rome and provide a means for the easy and rapid transportation of food and other products. The whole passage perhaps belongs to a more lengthy and detailed discussion of Trajan's economic reforms. The event mentioned refers to the year A. D. 107.<sup>13</sup> Mattingly, in the article already cited, gives a full and convincing treatment of the subject which, it would seem, must be accepted in the main.

What Dio Cassius here says is that Trajan "melted up the currency that was wearing out." He says nothing of re-issues. We know that Trajan restored many types. What is the connection between the two facts?

Mommsen takes the point of view that the melting up of the Republican aurei and denarii and the re-issuing of them according to the weight standards of Trajan gave the treasury a profit. He supports his argument by pointing out that the base legionary coins of Antony continued in circulation uninterruptedly until the time of Marcus Aurelius and Lucius Verus when, because of a further depreciation in the currency, it was profitable to melt them down. This last argument Mattingly answers by pointing out that there was only one legionary restoration by these two emperors and that for a special occasion, and that Antony's denarii continue long afterwards to occur in finds.<sup>14</sup> He further points out that

<sup>13</sup> Mattingly, *Num. Chron.* 1926, pp. 232-278.

<sup>14</sup> Antony's coin, re-struck by M. Aurelius and L. Verus, celebrated the sixth

the difference in weight between the Republican coins and those of Trajan was small (Trajan's aureus weighed 7.89 grm. and the denarius 3.41 grm. as against 3.98 grm. for the Republican denarius and from 7.90 grm. to 10.90 grm. for the aureus) and that hence the profit from the melting down and re-issue must have been slight. This contention he strengthens by showing that the restorations are rare and can have been made in only comparatively small numbers.

Gnecchi supports the view of Mommsen.<sup>15</sup> He contends that, in spite of being much worn, the coins were of so much purer silver than those of Trajan's day (Trajan's silver coins permitted an alloy of 15%) that melting them down gave a handsome profit. The consideration of this profit prompted a general melting down of the currency, and a re-striking of the silver coinage. Trajan's act was deliberate. The only coins excepted from the general melting down were the legionary coins of Antony; for these, says Gnecchi, would have caused a loss, so base was the metal used in them.

However, if Mommsen's view were correct, it would account only for the melting down of the Republican currency and not for the issue of restoration types. Some reason must be advanced for the restoring of the Republican coin type. The explanation of the reappearance of types must be found in the fact that for some definite reason the coin type was desired. Gnecchi is aware of this. According to him Trajan, seeing that certain coins known for a long time were fast disappearing, conceived the idea of restoring the coins, in order to preserve the memory of them; then carried out the idea, reproducing closely the types and adding only an inscription recording the restoration.

An interesting question and one which affects the ultimate explanation of the restored type is raised by the consideration of the age of the coins which Trajan melted. What was

legion for its part in the Parthian Wars. Its history had been a glorious one from the time of Cæsar.

<sup>15</sup> *Monete Romane*,<sup>3</sup> p. 353 ff.

the life of a coin? Mattingly points out that the life of a coin was short. The *aes* of the early Empire was passing out of use in the time of Titus. Though silver coins had much longer life, by the time of Trajan denarii of the Republic must have been well worn. His citation from Epictetus may be taken to indicate that the life of a coin was very short when the coins of Trajan are pronounced good and those of Nero worthless.<sup>16</sup> Undoubtedly there is much exaggeration here. The evidence of finds goes to show that the earliest Republican denarii were still in circulation at the close of the Republic. Coins of the first and second century B. C. were in circulation in the time of Nero. It is scarcely probable that the earliest denarii were in circulation in Trajan's time. In fact, according to Mattingly, after Nero the only Republican coins to occur frequently are the legionary coins of Antony.

Mommsen and Gneecchi, then, in their explanation of the melting down of coins and reissue of certain types make much of the consideration of profit in the process while recognizing the desirability of the coins as commemorative pieces. Mattingly, on the other hand, makes light of the motive of profit and stresses chiefly the use of the restoration coin as a means of commemoration. He puts his finger on the most important point involved in the question when he points out that aside from their use as commemorative, and possibly propaganda coins, these restoration coins had no reason for being issued. According to him the case stands thus: Trajan, seeing that the currency was wearing out, decided to withdraw it from circulation and at the same time to take advantage of that event by re-striking coins that suited his purpose and making them draw attention to the glories of the Roman people as portrayed on their coinage and to the illustrious character of his own rule.

Gneecchi and Mattingly differ concerning the explanation of the choice of family names commemorated in the restoration

<sup>16</sup> Mattingly, *op. cit.* p. 269 n. 2.



coins. Gneecchi thinks that perhaps all the coins in circulation in the time of Trajan were re-struck and that only part of them have come down. This view, says Mattingly, is untenable. The choice of coins on the part of Trajan and his advisers was deliberate, and the known restoration coins represent a fairly complete list of those that were struck. Further, the latter contends that only desire to commemorate coin types, that is, persons and events, and not the consideration of the wearing out of coins could have prompted the re-issue of the aurei of Galba. In fact, it represents part of a great plan that Trajan conceived, following the practice of Titus, Domitian, and Nerva to show in the currency of his day the unity of Roman history and the universal character of Roman rule. These coins show that Trajan "accepts the historical connection, not only with the Julio-Claudian and the Flavian dynasties, but with the Republic itself."

Too little consideration has been given to the use of coins as propaganda. It is true that Trajan's empire stood on force, on the strength of the Roman army, but it must not be supposed that the Emperor was not alive to the necessity of a strong public opinion. How else explain the extraordinary number of coin types struck by Trajan and Hadrian? Surely it is not to be assumed that the record of the emperor's achievements stamped in coins was for the satisfaction of his own pride. The expending of so much care in the recording of exploits must have expected some practical return. One difficulty, however, that makes it impossible to substantiate completely this point of view is the fact that on some coins the mythological or historical reference is not known. It may have been unknown in Trajan's time and the coin perpetuated because of the importance of the family to which the incident attached. Another point of view concerning their use seems worth considering. It has been pointed out that few examples of these "restoration" coins were struck. It would seem, therefore, that it was not expected that they would circulate

widely. At the time, they were perhaps scarcely intended as a means of propaganda. On the other hand, they were meant to keep alive the memory of those honored on the coins. They were perhaps, then, destined for records that should be kept and handed on to succeeding ages. It was Trajan who set to work systematically to preserve the coin types, and, further, it was he who made the type more permanent by the use of silver and gold. By the year A. D. 113, he had built the Basilica Ulpia and with it the library which in time came to surpass all the other libraries in Rome.<sup>17</sup> It contained important material for the later history of the Cæsars, among other things their original memoirs. Perhaps it was to put permanent records here and in other like places that Trajan had these coins struck.

This view would tend to be substantiated by the history of the growth of the type. It began with issues in bronze, the coinage which was in the hands of the Senate. Undoubtedly, from the beginning, through them the Senate was voicing its approval of the government of the Emperor commemorated: it was declaring its gratitude for the liberty which had been maintained by him. In a very interesting article in the *Revue Numismatique* (cited p. 55, n. 23), Count Blacas shows that on the death of Nero the Senate struck new coins, taking care to express delight that they were rid of the tyrant and also to show that they had entered upon a new day. In other words they were expressive of the survival of the Republican spirit. The Senate continued to strike coins with this idea dominant until the time of Titus, when he associated himself with the Senate in the idea. Trajan took over the idea, made it systematic, seeing the value of it as propaganda, and also establishing a more or less permanent record of Roman greatness.

In the light of this view the history of the Senate during the imperial period is of peculiar interest. Clearly, at no time was its political power great but the moral force exerted by it

<sup>17</sup> See Pauly-Wissowa III, pp. 415 ff. Cp. Mowat, *op. cit.* p. 224 f.

was strong. This is not only a logical but a necessary deduction from the efforts made by the various emperors to keep its favor. In fact, its history shows that while its prerogatives steadily decreased in number, its moral power, the prestige which it had in the eyes of the educated classes everywhere, constantly grew.<sup>18</sup> In the transformation of the structure of the Empire, begun by Augustus and continued during all the rule of the Julii and Claudii, the most significant features were the gradual development of bureaucracy, the elimination of the Senate from the work of administration and the concentration of it in the hands of the emperors.<sup>19</sup> The Emperor Augustus had ingeniously disguised the fact that at last the Roman Republic was dead and that all power of government must rest with one man, the princeps. Under the Flavians the Senate need have had no delusions concerning its status: these emperors set themselves quite definitely and resolutely to substitute for Republican self-determination the reality of absolutism.

In spite of the loss of real political power, however, the Senate continued to be a great force. Augustus himself was careful not to wound its susceptibilities. For this reason he refused to hold the consulship repeatedly: in B. C. 23 he discontinued the experiment of accepting it annually when he found the practice unpopular with the Senatorial class. During the rest of his rule he exercised the office only twice. The other emperors of the Julio-Claudian line followed the same policy; Tiberius during his twenty-three years of rule was consul three times only, Claudius in fourteen years only five times, and Nero five times in his fifteen years. The wiser among succeeding emperors continued the same attitude. While the Flavian emperors adopted an opposite policy, assuming the office as often as they could, Trajan and Hadrian reverted to the policy of Augustus in this matter.<sup>20</sup> For the

<sup>18</sup> Rostovtzeff, *Social and Economic History of Rome*, p. 344.

<sup>19</sup> Henderson, *Five Roman Emperors*, p. 25.

<sup>20</sup> Henderson, *op. cit.*, p. 31.

same reason Augustus refused to exercise the office of censor. Claudius with more zeal than insight accepted it. The Flavians not only held the office but used their censorial power to admit new members to the Senate, members who would not hold so tenaciously to the traditions of that body and who would be more amenable to the will of an emperor. This, coupled with the fact that by their time the old stock had been almost entirely eliminated by race-suicide and the civil wars, weakened the resistance that the Senate could offer to the extinction of its powers. But its prestige revived again under later emperors.

The influence of the Senate is seen best in times of crisis and change. When in A. D. 43 the governor of Dalmatia, L. Arruntius Furius, raised a revolt against the old Emperor Claudius and tried to entice his legions to follow him, he invoked the name of Republican liberty in the hope of strengthening his position.<sup>21</sup> The hopes of the Senate rose and many rallied to his standard.<sup>22</sup> In the last months of the reign of Nero, that frightful period called by some historians the "interregnum," the last dying days of the Julio-Claudian line, the Senate thought it saw a new right born to it, the right of electing the emperor.<sup>23</sup> It counted upon this prerogative to regain its ancient importance. Galba, at that time in the province of Spain, was a patrician by birth and held in high esteem. At first he did not wish to attract the notice of Nero by asserting too strongly his independence of the emperor, but, when he learned that Nero had decreed his death, he at once put himself under the protection of the Senate. He formed in his army a council of the older men, an advisory board.<sup>24</sup> The coins struck at this time give evidence of the assertion of Republican ideas, many of them being reproduc-

<sup>21</sup> Henderson, *op. cit.*, p. 109.

<sup>22</sup> Pauly-Wissowa, sub. voc. L. Aruntius Furius.

<sup>23</sup> Count Blacas D'Aulps, *Revue Numismatique*, 1862, p. 220. Cp. Mattingly and Sydenham, *Roman Imperial Coins*, I, p. 178 ff.

<sup>24</sup> Suetonius, *Galba* 10.



tions of Augustus types, while for the origin of others one must go back to Republican types. In them the Senate gives expression to the universal delight felt at the death of Nero. It voices the belief that the Senate had entered upon a new day. The coins do not glorify the Senate's past or give praise to the nobility. They avoid any reference that might arouse the distrust of the people, acknowledge their debt to the deities of Rome, and emphasize repeatedly the return of liberty. When Galba assumed power, as the coins show, he promised a principate that should be in the pure Republican tradition.<sup>25</sup>

The rule of the Flavians was absolute. Domitian waged an outright war on the Senate. When in A. D. 88, L. Antonius Saturninus revolted, it was on the discontent of that body that he counted, and it was they who felt the weight of the emperor's revenge. On his death, however, which ended the absolutism of the Flavians, Nerva, an elderly man without any son of his own, was chosen his successor by the Senate, and he, in turn, adopted Trajan, a favorite with the army. In his election the troops acquiesced grumblingly. But Nerva, though he introduced no new "constitutional monarchy," still like Augustus strove to please the Senate in his exercise of power. He promised that no senator should ever suffer the extreme penalty of death and consulted it freely on matters of state. That Nerva's appearance gave promise of a new day to Rome is evidenced by Tacitus' judgment, expressed in the oft-quoted sentence: *rara temporum felicitate, ubi sentire quae velis et quae sentias dicere licet*.<sup>26</sup> Elsewhere he is linked with Trajan as bringing into being one of the most happy days for Rome, characterized chiefly by "libertas" and "felicitas": *et quamquam primo statim beatissimi saeculi ortu, Nerva Caesar res olim dissociabiles miscuerit, principatum et libertatem, augeatque quotidie felicitatem imperi*

<sup>25</sup> Mattingly and Sydenham, *op. cit.*, I, p. 196.

<sup>26</sup> *Hist.* I, 1. See De Witte, *Revue Numismatique*, 1865, p. 167 ff.

Nerva Traianus.<sup>27</sup> Yet Nerva was no less an absolute ruler than Vespasian.

This double attitude of the emperor to the Senate is again illustrated in Trajan. He treated the Senate and its members with friendly courtesy. He chose Senators as his companions in the chase, at banquets, in counsels and deliberations. Yet the Senate had little political importance under him. Henderson, quoting De La Berge, says, "The history of the Senate under Trajan shows nothing but an exchange of compliments between the Emperor and that high assembly."<sup>28</sup> Tacitus' appraisal of Rome's condition has been noted above; Pliny in his *Panegyricus* makes mention many times of the "liberty, happiness, and security" that came with Trajan.<sup>29</sup> Certainly his coins present many Republican types. In permitting the renewal of these types, the emperor showed a great confidence in his rule, a confidence that must have been based on mutual respect between him and the people, on their wisdom and their affection for him. The power of the Senate under Trajan may be hard to define but it is there.

One function which the Senate preserved in Trajan's day is noted by Pliny. Referring to the trial of Julius Bassus, Pliny says the Senate has the power "et mitigare leges et intendere." The far-reaching effect and possible consequences of this power may easily be imagined, but it can hardly be taken as proof of the independence of the Senate under Trajan.<sup>30</sup> Perhaps the encouragement offered by other emperors to the Senate to exercise the prerogatives it retained and which it was apprehensive of using was only a way of throwing into high relief the few democratic forms that survived.

That the Senate did not show its resentment at the curtailment of its political powers and make some attempt to reas-

<sup>27</sup> Tacitus, *Agric.* 3.

<sup>28</sup> Henderson, *op. cit.*, p. 181, and note.

<sup>29</sup> For the citations from the *Panegyricus*, see De Witte, *op. cit.* p. 172. On 'libertas' in the early Empire, see Rostovtzeff, *op. cit.* p. 510.

<sup>30</sup> Henderson, *op. cit.*, p. 182.

sert itself is hardly to be thought. To more than one emperor it offered strong opposition. Some resentment, no doubt, it felt even against Augustus. At times it had dreamed of the abolition of the principate and the restoration of its own power, notably on the death of Caligula.<sup>31</sup> The idea was alive in A. D. 69 but not strong enough to lead to action. The Senate offered opposition to Vespasian who declared that either his sons would succeed him or no one. With all the concessions that Titus made to it he could not stop its show of discontent. Domitian, as already noted, waged open war upon it. After the "constitutional monarchy" of the Antonines one of Commodus' first acts aroused the indignation of the Senate and a struggle followed between the Senate and the emperor. Septimius Severus forced himself upon it; and it took sides with Geta against Caracalla. The crisis of the third century, according to some, was created by the endeavor of the emperors to eliminate the Senate politically. That after Aurelian the Senate elected Tacitus emperor is a sign of the restoration of complete harmony between them.

A consideration of the coin types belonging to the periods when the prestige of the Senate was admittedly greatest will tend to confirm the point of view presented here (namely, the "autonomous" types of the "interregnum," the coins of Galba and those of Nerva). On the coins of the "interregnum" constant reference is made not to the emperor but to the people and the Senate. Due expression is given, as pointed out above, to the joy of the people over the birth of a new day of freedom, and along with this there is a consistent assertion of constitutional principles. The head of Galba does not appear until he is sure that he has the approval of the Senate, but, in place of it, representations of Vulcan, Mars, Roma, Bonus Eventus, Genius P. R., Juno Moneta. The following inscriptions bespeak the hopes of Rome, ROMA RESTI-

<sup>31</sup> Rostovtzeff, *op. cit.*, p. 510; the following references are given: Dio, 60, 1, 1 f.; Suet. *Cal.* 60; *Claud.* 11, 1; see other references. Cf. Henderson *op. cit.* 169.

TUTA, ROMA RENASCES; and the following, SALUS GENERIS HUMANI, the far-reaching effect of the new day. Other inscriptions are ROMA VICTRIX, S. P. Q. R. OB CIVIS SERVATOS, MARS ULTOR, IUPPITER CUSTOS.<sup>32</sup> It is interesting to note that the posthumous coins of Augustus with the inscription DIVUS AUGUSTUS, which, from a consideration of their weight and fabric, are to be assigned to this time, and which were struck by way of paying honor indirectly to Galba, repeat many of these types.

The coins of Galba, again, include most of these types. Some of them also were struck after his death, A. D. 70-71, to satisfy the faction that remained loyal to him. "The propaganda element in the types of Galba coins is strong," says Mattingly. "The type, S. P. Q. R. OB. C. S., marks the official recognition of Galba by the Senate. Other types hold out hopes of a rebirth of Rome, and the dawn of a new day for the whole world."<sup>33</sup>

The coins of Vespasian show an emphasis upon the same idea. After the reforms in coinage made by Nero and the reduction in the weights of the aureus and denarius it was inevitable that earlier coinage should be melted down sooner or later. In the new coinage Vespasian emphasized the ideas that would commend him to the people in his founding of a new dynasty. He employs, therefore, Augustus types—the bull, the cow, the victory and quadriga type, the laurel branches, the capricorn on globe, the statue on rostral column. Certain striking Republican types are also found—the standing Mars (COS. VI), copied from a denarius struck during the wars with the Cimbri (about B. C. 100), the coin of L. Mussidius Longus with the head of Sol, and the type of Antony with the star above the prow.<sup>34</sup>

Nerva, again, was the Senate's choice for emperor. Like

<sup>32</sup> Count Blacas D'Aulps, *op. cit.*, p. 220 ff., and Mattingly and Sydenham, *op. cit.* I, p. 178 ff., with plates.

<sup>33</sup> *Op. cit.* p. 196.

<sup>34</sup> Mattingly and Sydenham, II, p. 6.



Galba he inspired confidence, after the rule of unworthy predecessors, by his age and by virtue of a good reputation. Though not completely in accord with the Senate, yet the understanding between them was made secure by Nerva's adoption of Trajan. Many of his coin types are like those of Galba showing the following inscriptions—PROVIDENTIA SENATUS, LIBERTAS PUBLICA, FORTUNA P. R., ROMA RENASCENS.

It would seem then that the influence of the Senate continued to be great, and the "Republican tendency" was never so completely suppressed as not to make itself felt strongly at times. It is perhaps not accidental that the emperors celebrated by Trajan with restoration coins were those who were friendly to the Senate: indeed, the restoration coin may be the expression of the influence of the Senate that was ever at work upon the reigning emperor. If the emperor wished to revive in the popular mind the memory of earlier princes it was because those princes were regarded as having been favorable to the Republican tradition, no matter how mistaken the impression of the popular mind was. Divus Augustus appealed strongly to the popular imagination, but the deification would hardly have been a matter of great pride in the popular mind, if Augustus had not made a show, at least, of being friendly to Republican institutions.<sup>35</sup>

The Republican restorations of Trajan are treated at length in the article by Mattingly cited above. Those chosen for restoration are classified under the following types:

- (a) those that are of legendary or historical interest;
- (b) those that are in some general way interesting;
- (c) those that are of religious interest;
- (d) those that bear on them family references.

(a) The attempt to recall the legendary and historical glories of Rome is illustrated by several coins. The founding of Rome is commemorated in the figure of Roma with the she-

<sup>35</sup> Cp. Mattingly *Num. Chron.* 1920 pp. 178, 179.

wolf and twins. (Pl. II, 9.) Events in Roman history are recorded as follows: the exploits of M. Claudius Marcellus against Gauls and Carthaginians in the late third century B. C.; the surrender of Jugurtha to Sulla B. C. 106; the subjugation of Aretas of Nabathaea by M. Aemilius Scaurus in B. C. 64 (Pl. II, 11). Other famous men of the Republic to be honored are Pompey the Great, M. Junius Brutus, M. Vipsanius Agrippa, and Julius Cæsar. (Pl. II, 16.) Agrippa and Cæsar appear in both Republican and Imperial series. The M. Tullius and C. Marius coins may, Mattingly thinks, have been intended to recall Cicero and the great Marius though they were coins of different persons.

(b) Included among the types of general interest is a variety of coins: the Dioscuri type, the quadrigatus, the bigatus, the serratus (no longer serrated). Here too is found the legend of Aeneas and Anchises, Ulysses and his dog Argus, the Catanaean brothers. (Pl. II, 12, 13.) Some commemorate public monuments, the Aqua Marcia, the Basilica Aemilia, the temple of Vesta and the Puteal Libonis. (Pl. II, 14, 15.) Among them are the famous army coin—eagle and standards; the elephant type with its reference to Africa, but also the symbol of Cæsar; the mint type, with cap of Vulcan, tongs, hammer, etc.

(c) Nearly all the Roman deities are represented. Mattingly thinks that this can hardly be an accident. Not only are the ancient deities, Jupiter, Juno, Minerva, Diana, Janus, Neptune, Roma, Venus, Vesta represented, but also some of the personified qualities, as Bonus Eventus, Concordia, Libertas, Pietas. However, whether the family of the moneyer is being celebrated or whether honors are being paid to the divinity on the various coins would in some cases be hard to decide.

(d) With the fourth division of these coins we seem to be on less certain ground. Gneecchi, as we have seen, is inclined to the view that all of the coin types current in Trajan's time

were reproduced and that many of them have been lost: Mattingly, on the other hand, holds to the view that a selection was carefully made. The latter points out that still in Imperial times the families whose ancestors had struck coins in Republican times would take it as a great compliment that the coins were re-issued. Conversely, would it not be true that the families discriminated against would be inclined to resent the omission? Some weight is given to this point when it is considered that some of the best known families are not represented on the restored coins while some comparatively obscure families are. In Trajan's time the following "gentes" represented in Trajan's "restorations" still ranked high: Aemilia, Caecilia, Cassia, Claudia, Cornelia, Marcia, Norbana, Serveilia, Sulpicia, Valeria; the following "gentes" enjoyed a somewhat lesser consideration: Clodia, Didia, Memmia, Pompeia, Porcia, Quinctia, Rubria, Scribonia, Titia, Tullia; others had sunk into comparative insignificance: Carisia, Cornuficia, Decia, Eppia, Horatia, Lucretia, Mamilia, Numonia, Servia.

#### TRAJAN'S GOLD AND SILVER RESTORATIONS

Mattingly, in the article already cited, shows how Trajan's gold and silver "restorations" served the double purpose of throwing into relief his own greatness and the continuity of the Empire's glory from the time of Romulus to his own day. Trajan seems to have done well the work of propaganda. The aureus, the typical coin of the Empire, is chosen for restoration. The inclusions and exclusions, noted above, indicate commendation or condemnation. Besides, those qualities in the emperor commemorated, and those events which made him famous, are, according to the judgment rendered by Trajan, the events of which Romans were most proud. From a consideration of these coins the conclusion would naturally be drawn that the main purpose in the re-issue of coin types

would be to throw into relief the greatness of Republican Rome, and the high character of the rule of its best emperors, as well as to commend the Roman Empire of Trajan's day to his subjects.

## COLLECTING COINS

How early the practice of collecting coins began, it is hard to say. Perhaps as soon as coins were struck. *À propos* of the rage with which people sought the spurious coin, Pliny, in a passage which discusses the adulterating of coinage, has this to say, *Falsi denarii spectatur exemplar pluribusque veris denariis adulterinus emitur*. That Augustus possessed a rather full collection of old coins is to be deduced from a passage in Suetonius (75) that tells of the presents which Augustus was accustomed to giving on holidays: "On the Saturnalia and at any other time when he took it into his head he would make gifts of clothing or gold or silver; again coins of every device including old pieces of the kings and foreign money." Again, Horace, referring to the habits of the father of the poet Tibullus says (*Sat.* 1, 4, 28), "Stupet Albius aere." That among the bronzes which Albius had a mania for collecting were ancient bronze coins is not unbelievable.

Furthermore, an examination of the list of emperors who struck these restoration coins would show that they were the emperors who had some taste for art and antiquities—Augustus, Vespasian, Titus, Domitian, Trajan, Hadrian, (Marcus Aurelius struck only one type) Philippus and Gallienus. Mowat quotes from Mommsen the explanation "que cette restitution ne peut être considérée que comme un jeu, par plaisir d'antiquaire."<sup>36</sup> This point needs further study and is put forward only as a suggestion for the present.

<sup>36</sup> Mowat, *op. cit.* p. 217.



THE *LEX DATA* OF THE ROMAN REPUBLIC AS A  
PRECEDENT FOR THE LEGISLATION  
OF THE PRINCEPS

DONALD MCFAYDEN

The major feature of the constitutional history of the Principate is the transformation of the Roman Republic into an absolute monarchy. One aspect of that transformation is the change in the method and theory of legislation. In principle under the Republic legislation in the full sense required the sanction of the assembled People. Only a law upon which the Roman People had been consulted, a *lex rogata* (*lex lata*), could bind the Roman citizen body. Under the fully developed Empire, on the other hand, the emperor was the fount of law; laws were "given" by him (*leges datae*). The distinction between a *lex rogata* and a *lex data* was a well recognized one under the Republic,<sup>1</sup> but the *lex data* was regarded as a mark of political servitude inconsistent with a *civitas libera*. For instance, laws were imposed by Roman magistrates, under the supervision of the Senate, upon colonies and provincial communities. The question to be discussed in this paper is whether under the Republic the Roman citizen body itself ever accepted laws from its rulers which it had not itself formally passed upon. Mommsen argues that in exceptional cases it did, and finds in these precedents one source of the legislative power of the Princeps.

According to Mommsen, extraordinary magistrates were appointed at various periods under the Republic to exercise the functions of a Greek *aesymnetes*, i. e., to issue new fundamental legislation. As instances of such legislation he adduces the XII Tables, Sulla's reforms in criminal procedure, Pompey's legislation in 52 B. C., Cæsar's legislation in 48 B. C. and 45 B. C., and that of Augustus in 17 B. C. In some (though not in all) of these cases, he holds, submission of the

<sup>1</sup> *Thesaurus Linguae Latinae*, s. v. DO, I, 8, 7, f.

new laws to the Comitia was dispensed with, and the laws were issued solely by virtue of a power of legislation conferred on the aesymentes in the comitial law under which he was appointed; in other words, they were *leges datae*.<sup>2</sup> In support of this view he offers the following evidence:

1. He points to the titles borne by certain of these aesymentes, viz., *decemviri legibus scribendis*, *dictator legibus scribendis et rei publicae constituendae*, and *triumviri rei publicae constituendae*; also to the fact that Augustus was offered a *cura legum*, which seems to show that the idea of an aesymentes with legislative powers was not foreign to Roman ideas. The phrase *decemviri legibus scribendis*, however, strictly means only "a commission of ten for the purpose of drawing up laws," *sc.* for submission to the Comitia; and that this was really the function of the Decemvirs is suggested by the fact that both the first ten and the last two Tables were actually submitted to the Comitia, as Mommsen himself admits.<sup>3</sup> The title *dictator legibus scribendis et rei publicae constituendae* is ascribed to Sulla by Appian,<sup>4</sup> but this is the only evidence for such a title. There can be little question that Sulla's official title was *dictator* simply.<sup>5</sup> A defining phrase was needed in the case of a colorless title like *decemvir* or *triumvir*, in order to indicate the function which the official was to perform. But the title *dictator* needed no such definition; it connoted of itself full powers, including the right to propose laws. The words *triumviri rei publicae constituendae* suggest, it is true, a right to issue *leges datae*, but they do not necessarily connote such a right. Finally, as regards the *cura legum* which according to Dio<sup>6</sup> and Suetonius<sup>7</sup> was conferred upon Augustus, we have Augustus' own express assertion, not merely that the prerogative was not ac-

<sup>2</sup> *Römisches Staatsrecht*, II,<sup>3</sup> (1), 723-727.

<sup>3</sup> *Op. cit.*, II,<sup>3</sup> (1) 725 note 2 and 726 note 2.

<sup>4</sup> *Bell. Civ.* I 19.

<sup>5</sup> Mommsen, *op. cit.*, II,<sup>3</sup> (1) 703 note 3. Mommsen evidently forgot this note!

<sup>6</sup> *Liv.* 10, 6.

<sup>7</sup> *Aug.* 27.

cepted, but also (what is more important for our present purpose) that such a prerogative would have been contrary to the *mos majorum*.<sup>8</sup>

2. Several passages in extant literature seem at first sight to assert that Sulla was given power to legislate on his own authority:

Leges judicia aerarium provinciae reges penes unum (sc. Sullam), denique necis civium et vitae licentia.<sup>9</sup>

Ille (sc. Sulla) de quo legem populus Romanus jusserat ut ipsius voluntas ei posset esse pro lege.<sup>10</sup>

Omnium legum iniquissimam dissimillimamque legis esse arbitror eam quam L. Flaccus interrex de Sulla tulit, ut omnia quaecumque ille fecisset essent rata. . . . His rei publicae tyrannum lege constituit. . . . Valeria lege Corneliisque legibus eripitur civi civi<sup>11</sup> datur.<sup>12</sup>

Ἐψηφίσθη δὲ αὐτῷ πάντων ἄδεια τῶν γεγονότων, πρὸς δὲ τὸ μέλλον ἐξουσία θανάτου δημεύσεως κληρουχιῶν κτίσεως πορθήσεως ἀφελέσθαι βασιλείαν καὶ ᾧ βούλοιο χαρίσασθαι.<sup>13</sup>

Τοσόνδε μέντοι προσέθεσαν εἰς εὐπρέπειαν τοῦ ρήματος, ὅτι αὐτὸν αἰροῦντο δικτάτορα ἐπὶ θέσει νόμων, ὧν αὐτὸς ἐφ' ἑαυτοῦ δοκιμάσειε, καὶ καταστήσει τῆς πολιτείας.<sup>14</sup>

In all these passages the reference is clearly to the law passed in Comitia (cf. the word *tulit* in the third passage) by L. Valerius Flaccus as interrex in the end of 82 B. C. after the proscriptions had begun.<sup>15</sup> It is clear, also, that this law granted Sulla immunity for his past acts, including the proscriptions, created him Dictator, and authorized him to continue his punishment of those individuals, communities, and kings which had supported the democratic party. The question is, Did it empower him to impose general laws upon the citizen body of Rome itself without having to secure for each the sanction of the Comitia? On this point the passages quoted cannot be said to be decisive. The first is from a political harangue delivered by one of Sulla's opponents after his

<sup>8</sup> *Mon. Anc.* chap. 6. Cf. Seneca *De Benef.* VI, 32, 1.

<sup>9</sup> Sallust *Oratio Lepidi* 13.

<sup>10</sup> Cicero *In Verrem* II, III, 35, 82.

<sup>11</sup> The manuscript reading *civis cui* gives no sense. The above emendation is generally accepted.

<sup>12</sup> Cicero *De Lege Agraria* III, 2, 5.

<sup>14</sup> Appian *Bell. Civ.* I, 99.

<sup>13</sup> Plutarch *Sulla* 33, 1.

<sup>15</sup> See Drumann-Groebe, I, 404.

death. Its language must not be pressed too closely. The reference to *leges* as *penes Sullam* would be justified sufficiently by the fact that Sulla's physical domination of Rome had enabled him to secure any legislation he pleased. The second, third, and fourth need refer only to the confirmation of his *previous* acts and to the punitive powers conferred upon him. The last need only mean that he was empowered to draw up laws for submission to the Comitia.

Mommsen, however, argues that some at least of Sulla's laws must have been *leges datae* issued by virtue of a clause in the Valerian Law. He cites as evidence the language of Cicero in the following passage:

Qui potuerunt ista ipsa lege quae de proscriptione est, sive Valeria est sive Cornelia—non enim novi nec scio—verum ista ipsa lege bona Sex. Rosci venire qui potuerunt? Scriptum enim ita dicunt esse: VT AVT EORVM BONA VENEANT QVI PROSCRIPTI OCCISI SVNT.<sup>16</sup>

According to Mommsen, the Cornelian Law here referred to cannot have been passed in Comitia, because only in the case of a provision in a magisterial order could the question arise as to whether the provision derived its binding force from the magisterial order or from the law authorizing the magisterial order.<sup>17</sup> But surely the matter regarding which Cicero is confessing ignorance is, not the metaphysical question as to the source of the clause's legality, but simply the identity of the law in which the clause occurred. He is quoting from hearsay (*dicunt*) and has not taken the trouble to go to the Tabularium to consult the text. In point of fact, the Lex Cornelia to which he refers is, in all probability,<sup>18</sup> the confiscatory law which he mentions in another passage:

Populus Romanus L. Sulla dictatore ferente comitiis centuriatis municipiis civitatem ademit; ademit eisdem agros.<sup>19</sup>

In each passage Cicero quotes only the clause in which he is

<sup>16</sup> *Pro Sexto Roscio* 43, 125.

<sup>17</sup> *Op. cit.* II,<sup>3</sup> i, 725, note 1. Cf. also 726, note 3.

<sup>18</sup> So Drumann-Groebe, I, 406.

<sup>19</sup> *De Domo Sua* 30, 79.



at the moment interested. If so, we have Cicero's express testimony that the law was passed in the *Comitia Centuriata*. Even if the two laws were distinct, it is reasonable to assume that both were passed in the same way.

There is, therefore, no clear evidence that Sulla possessed or exercised the right of legislating for Roman citizens without the participation of the *Comitia*; nor is it easy to see why he should wish to do so. He was absolute master of Rome, and the *Comitia* could be relied upon to carry out his wishes. Moreover, if his reforms were to be permanent, it was essential that the constitutionality of their enactment should be unassailable. Had they been enacted simply by fiat, we should expect to find that fact emphasized somewhere in the bitter attacks made upon his legislation after his death.

3. Mommsen cites the following passage in proof that Cæsar during his dictatorship issued *leges datae*:

Interea magna vis accusatorum in eos inrupit, qui pecunias faenore auctitabant adversum legem dictatoris Cæsaris, qua de modo credendi possidendique intra Italiam cavetur.<sup>20</sup>

He identifies the law of Cæsar to which Tacitus here refers with the regulation mentioned by Cæsar himself in the following passage:

Cum fides tota Italia esset angustior neque creditae pecuniae solverentur, constituit (sc. Cæsar) ut arbitri darentur, per quos fierent aestimationes possessionum et rerum, quanti quaeque creditoribus traderentur.<sup>21</sup>

If this identification be accepted, we apparently have a clear instance of an edict of Cæsar which was quoted subsequently as a law. On closer examination, however, the relevancy of the instance to the question under discussion disappears. For the purposes of argument let us assume what is far from proved, namely, that Tacitus is referring to the edict mentioned by Cæsar (using the word *lex* in a loose sense), and

<sup>20</sup> Tacitus *Ann.* VI, 16.

<sup>21</sup> *Bell. Civ.* III, 1. Cf. also Dio XLI, 37, 3, Suetonius *Julius* 42, Plutarch *Cæsar* 37, 2, Appian *Bell. Civ.* II, 48.

not to some law passed by Cæsar in the Comitia (as his use of the word *lex* would naturally suggest); it still remains to be proved that in issuing this edict Cæsar went beyond his regular dictatorial authority and trespassed upon the functions of the Comitia. This there is nothing to indicate. The appointment of *arbitri* and the instruction to be given them lay wholly within the competence of the Praetors in charge of the courts, who according to the constitution were subject to the Dictator's instructions. The clause in the edict which Tacitus has in mind was probably that mentioned by Dio, which forbade anyone to keep by him more than 60,000 HS in silver or gold. This, however, as Cæsar took pains to point out in the edict itself, was no new legislation; there was already a statute to that effect.<sup>22</sup> That comitial laws continued to be passed during Cæsar's dictatorship is abundantly attested. Indeed, the very chapter of Cæsar's *Bellum Civile* from which the above quotation is taken contains the following very significant reference to such:

Itemque praetoribus tribunisque plebis rogationes ad populum ferentibus nonnullos ambitus Pompeia lege damnatos . . . in integrum restituit. . . . Statuerat enim prius hos iudicio populi debere restitui, quam suo beneficio videri receptos, ne . . . arrogans in praeipiendo populi beneficio videretur.

At first sight the fact that Antony could profess to find laws among Cæsar's papers would seem to suggest that Cæsar was empowered to issue *leges datae*. But the correct interpretation of this fact is suggested by the following passage in Cicero's Letters:

Ecce Antonius accepta grandi pecunia fixit legem a dictatore comitiis latam, qua Siculi cives Romani; ejus rei vivo illo mentio nulla.<sup>23</sup>

What Antony professed to be doing, evidently, was to find among Cæsar's papers laws already passed by the Comitia under Cæsar's presidency which had not yet been promul-

<sup>22</sup> Dio XLI, 38, 1.

<sup>23</sup> *Ad. Att.* XIV, 12, 1. Cf. also Cicero *Philippics* III, 12, 30: falsas leges C. Cæsaris nomine et falsa decreta in aes incidenda et in Capitolio figenda curaverit; *ibid.* II, 38, 98; et de exulibus legem quam fixisti Cæsar tulit?

gated (*fixae*) and put in force. The propriety of including Cæsar's comitial laws among his *acta* is insisted upon by Cicero in the following language:

Equid est quod tam proprie dici potest actus ejus, qui togatus in re publica cum potestate imperioque versatus sit, quam lex? Quaere acta Gracchi; leges Semproniae proferentur. Quaere Sullae; Corneliae. Quid? Pompeii tertius consulatus in quibus actis constitit? Nempe in legibus. De Cæsare ipso si quaereres quidnam egisset in urbe et toga, leges multas responderet se et praeclaras tulisse.<sup>24</sup>

It will be noticed that Cicero here implies that the laws of Sulla, Pompey,<sup>25</sup> and Cæsar, no less than those of Gracchus, were passed in Comitia.

Thus the evidence adduced to show that Cæsar imposed, or was empowered to impose, legislation upon the Roman citizen body entirely breaks down. Of course, in one sense even his comitial legislation received an *ex post facto* confirmation from the Senate on March 17, 44 B. C. Had the Senate at that famous meeting voted that Cæsar was a tyrant, his comitial legislation would have fallen to the ground; for the validity of an act of the Comitia was bound up with the legitimacy of the magistrate who proposed it. Conversely, the confirmation of Cæsar's *acta* carried with it a confirmation of his legislation.<sup>26</sup>

4. As evidence that the Triumvirs issued *leges datae* Mommsen<sup>27</sup> cites the following words of Dio:

Ἄ γὰρ ἐπέταττον καὶ ἐβιάζοντο τὸ ὄνομα τὸ τοῦ νόμου ἐλάμβανε. <sup>28</sup>

This is a peculiarly unfortunate citation for his purpose; he must have quoted it from memory without looking it up. For the sentence which immediately precedes, of which the words he quotes are a continuation, runs:

<sup>24</sup> *Philippics* I, 8, 18.

<sup>25</sup> Even Mommsen does not suggest that the legislation of Pompey was in the form of *leges datae*.

<sup>26</sup> This is Appian's explanation of the confirmation of Cæsar's *acta*: *Bell. Civ.* II, 128. Cf. also the proposal of Cicero to declare Antony's legislation invalid for similar reasons: *Philippics* v, 4, 10.

<sup>27</sup> *Op. cit.* II,<sup>3</sup> (1), 726, note 3, *ad fin.*

<sup>28</sup> XLVII, 2, 2.

Καὶ οἱ μὲν ( the Triumvirs ) οὕτως ἐς τὴν Ῥώμην . . . μετὰ τῶν στρατιωτῶν ἀπάντων ἦλθον, καὶ παραχεῖμα τὰ δόξαντά σφισι δ ι α τ ῶ ν δ η μ ι α ρ χ ῶ ν ἐνομοθέτησαν.

The passage, so far from proving that the Triumvirs issued *leges datae*, indicates the direct opposite! It does suggest, however, the true interpretation of those passages in the orators and historians which on their face seem to assert that laws were imposed upon Rome by one or other of her successive masters. They mean only that, owing to the military or other preponderance enjoyed by the master of the moment, the confirmation of his will by the Comitia was a mere matter of form. So far as we know, *leges datae* were never imposed upon the Roman citizen body without its formal assent; and, when Augustus stated that such a procedure would have been contrary to the *mos majorum*, he was stating a literal fact.

This conclusion is substantiated by the history of legislative procedure under the Empire. Legislation by the Comitia continued throughout the first century B. C. The last instance recorded is an agrarian law of the time of Nerva.<sup>29</sup> The continuance of the Comitia as a legislative body long after it had ceased to function at elections may be taken as an additional proof that the Roman constitution knew no other method of legislation. The gradual assumption of legislative powers by the Senate seems to have been regarded as illegitimate by the constitutional purists.<sup>30</sup> Finally, the justification which Gaius and the other imperial jurists of the second century offer for the Princeps' assumption of legislative power is most significant. To quote the classic definition of Gaius:

Constitutio principis est, quod imperator decreto vel edicto vel epistula constituit. Nec unquam dubitatus est, quin id legis vicem obtineat, *cum ipse imperator per legem imperium accipiat*.<sup>31</sup>

<sup>29</sup> *Digest* XLVII, xxi, 3. 1. The comitial legislation of the early principate is fully discussed in O. Karlowa, *Römische Rechtsgeschichte*, I, 616-628.

<sup>30</sup> Gaius I, 4: *senatusconsultum* . . . legis vicem obtinet, *quamvis fuerit quaesitum*.

<sup>31</sup> I, 5.



We must not be imposed upon by Gaius' assertion that the right of the Princeps to legislate had never been doubted. It was both the interest and the duty of the imperial lawyers to exalt the imperial prerogatives. The important point is the theory on which he bases the prerogatives of the Emperor. It is one of the most amazing fictions which the legal mind has ever evolved. The theory takes as its starting-point the fact that at the beginning of each reign the Princeps was endowed with the tribunician power by an act of the Comitia. This act, of course, was as purely formal and inconsequential as the acclaiming of a King of England in the coronation service. Nevertheless the imperial lawyers drew from it the sweeping inference that the Roman People not merely elected the Princeps, but in electing him transferred to him all its powers,<sup>32</sup> including the power of legislation.<sup>33</sup> In other words, they explain that the Princeps' power of legislation is a continuance of the legislative prerogative of the Comitia; a striking illustration, surely, of the fact that the Roman constitution knew no other means of legislating for the Roman People than by the Roman People in Comitia assembled.

<sup>32</sup> *Codex* I, XVII, 17: lege antiqua, quae regia nuncupabatur, omne jus omnisque potestas populi Romani in imperatoriam translata sunt potestatem.

<sup>33</sup> Ulpian apud *Digest* I, IV, 1, pr.: quod principi placuit, legis habet vigorem; utpote cum lege regia, quae de imperio ejus lata est, populus ei et in eum omne suum imperium et potestatem conferat. Cf. also *Institutes* I, II, 6. The right of the Princeps to entertain *provocationes* was explained on similar principles. Paulus *Sententiae* V, XXVI, 1: lege Julia de vi publica damnatur, qui aliqua potestate praeditus civem Romanum antea ad populum, nunc ad imperatorem, appellantem necarit.

## C. SOSIUS: HIS COINS, HIS TRIUMPH, AND HIS TEMPLE OF APOLLO\*

FREDERICK W. SHIPLEY

[Among the many intellectual interests of a many-sided man, there were three which absorbed Mr. Wulfin'g's attention more than the rest: Roman Coins, Roman History and Roman Archaeology. I have selected this topic for presentation at this memorial meeting in honor of one of my best and oldest friends because it is one which relates itself to all three of his chief lines of interest.]

While gathering material for the chapter on the building activities of the *Viri Triumphales* from 44 B. C. to 14 A. D., which will appear in Volume IX of the *Memoirs of the American Academy in Rome*,<sup>1</sup> I became interested in a group of problems concerning C. Sosius, one of the *Triumphales* of this period. Like so many of the generals of Octavian and Antony during the period of the second triumvirate, the activities of this staunch follower of Antony are mentioned only sporadically by the historians, and a sketch of his life and the part which he played in the drama whose last act resulted in the establishment of the Empire must be pieced together from many scattered and disconnected data. Among these data we have a series of coins bearing the name of C. Sosius, struck on the island of Zacynthus; three epigraphic references to the triumph which he celebrated on September 3, 34 B. C.; and two passages in Pliny which connect his name with a statue of Apollo brought from Seleucia, and a temple of Apollo in Rome. It is with the relation of these three sets of data to each other and to the scattered references of historians that this paper is primarily concerned.

A word is perhaps necessary, by way of preliminary, in regard to the political conditions in the Roman world from November 27, 43 B. C. to 31, the period roughly covered by

\* Presented at a memorial meeting in honor of John Max Wulfin'g held under the joint auspices of Washington University and the St. Louis Society of the Archaeological Institute of America, February 18, 1930.

<sup>1</sup> Pp. 9-42.

these coins and the other data in regard to Sosius. The second triumvirate was a combination effected by Antony, Octavian and Lepidus for the purpose of uniting the various Cæsarian groups against the Senatorial party and the rising power of Brutus and Cassius in the East. Lepidus simply figures as third man in the combination, from which he was eliminated in 36 B. C. by Octavian. Antony and Octavian were the real factors. Antony had great prestige as the most experienced of the generals of the former dictator; the twenty-year-old Octavian had almost equal prestige as Cæsar's heir and adopted son. They were rivals from the day when Octavian landed in Italy after the murder of Cæsar. In the autumn of 44 and spring of 43, Octavian had commanded a detachment of the Senatorial army which fought Antony at Mutina. Expediency brought them together in the triumvirate; they fought the campaign of Philippi together in 42; but they continued to be rivals none the less. After Philippi, the shrewd Antony took over the richer eastern portions of the empire, and the more glorious program of carrying out Cæsar's almost completed plans for the Parthian War, sending his twenty-one year old colleague back to Italy and assigning to him the most difficult of all tasks, the problem of post war economic reconstruction and the appropriation of lands to satisfy the extravagant promises which they both had made to the veterans. Antony was not actuated by the most generous of motives. With Sextus Pompey in Sicily and Domitius Ahenobarbus in the Adriatic, both in command of outlaw fleets and throttling Italy's commerce and food supplies on both sides, and Antony's brother and his strong-willed and politically active wife obstructing the efforts of Octavian at post war settlements, the task was one with which an older head could hardly cope, much less the youthful and inexperienced Octavian. All this Antony foresaw. He no doubt hoped that circumstances would eliminate his rival. In fact, they nearly did so, but not quite. Octavian was able to main-

tain his difficult position in Italy and the West. The two remained partners, in form at least; they even became brothers-in-law in 40 B. C.; but they remained rivals none the less, Antony in the East and Octavian in the West, with each side jockeying for position. Each had his own set of followers who were pawns in the game and were appointed to the consulship several years in advance by an agreement made in 39 B. C. Antony shrewdly saw to it that as the triumvirate was due to expire either at the beginning or the end of 32, the consuls for 32 should be two of his own followers and agents. One of these was Cn. Domitius Ahenobarbus, the other was C. Sosius, whose actions on the first day of their consulship precipitated the Civil War which ended at Actium with the elimination of Antony.

Let us first take up the coins. Besides the description in *Babelon Monn. Rep. Rom.*,<sup>2</sup> and in the *Brit. Mus. Cat. Coins of Rom. Rep.*,<sup>3</sup> they have been discussed by Percy Gardner in *Num. Chron.*, Volume V, 1885, 101-104, in which he has taken up the coinage of Zacynthus from the earliest times, and by Bahrfeldt in *Int. Jour. Numis.*, Volume XI, 1908, 215-229 in an article entitled, *Sosius, Proculeius, Crassus*. I am indebted to the kindness of Dr. von Bahrfeldt for permission to use the cuts given below.

The coins which bore the name of Sosius all have either on the obverse or reverse the letters ZA. As a number of them were found on Zacynthus, and type 3 was traditional on that island, it has been rightly assumed that ZA stands for Zacynthus. This was one of the Ionian islands, the modern Zante, and was within the sphere of influence of Antony in the division of the Roman world which Octavian and Antony arranged between them after the battle of Philippi. The first two types carry on the obverse the head of Antony, who held the *imperium maius*, and as all of them date before the battle of

<sup>2</sup> II, 462f.

<sup>3</sup> Introduction xxxiv; Vol. II, p. 504, 508, 509, 524, 525.



Actium they were all struck under his hegemony though no reference to him appears upon types 3 and 4. Sosius was one of Antony's generals, and in the latter part of 32 B. C. and in the following year until the battle of Actium was a *praefectus classis* for Antony in the Ionian Sea and therefore operating in the vicinity of Zacynthus. But as the coins were struck at intervals ranging from 39 to 32 or 31 B. C., during part of which time Sosius was governor of Syria, we may assume with Gardner<sup>4</sup> that Sosius was for the entire period master of the revenues of the island, a conclusion in which Bahrfeldt concurs.<sup>5</sup>

The coins, bronze, are as follows:<sup>6</sup>



COINS OF C. SOSIUS

<sup>4</sup> *Op. cit.*, p. 102. Grueber, *B M C Rom. Rep.* II, 504, 509, while admitting this possibility, points out that each issue seems to be contemporaneous with his journeys eastward or westward, and therefore to mark his presence in the island.

<sup>5</sup> *Int. Jour. Num.* XI, p. 219. Proculeius seems to have exercised a similar function over the revenues of the neighboring island of Cephallenia under Augustus (*op. cit.* p. 226).

<sup>6</sup> The cuts are reproduced from *Int. Jour. Num.* XI, plate XIII. The heavy

## NO. 1

*Obverse:* head of Antony r. bare; left, and close to neck I M P · (= *Imperator*); near left edge behind head a counter-mark resembling a star inscribed in a circle.

*Reverse:* eagle with closed wings, standing r. on thunder-bolt; behind, C · SOSIUS · Q · (= *Quaestor*); before, caduceus and ZA (= *Zakynthos*).

As Antony is styled IMP · only, the date of this coin falls before the middle of 39 B. C. and not earlier than 42. Because of the Ptolemaic type of the reverse, Bahrfeldt<sup>7</sup> places it after the beginning of Antony's relations with Cleopatra in the autumn of 41, and fixes upon 40 B. C. as the probable date. Grueber<sup>8</sup> places it *circ.* 39 B. C.

Q no doubt stands for *quaestor*. This is a little surprising, as a C. Sosius, usually identified with Sosius of the coins, was praetor in 49 B. C. and had previously been quaestor to M' Aemilius, consul in 66 B. C.<sup>9</sup> If the identification is correct, his present quaestorship must have been a special commission of some importance, since Antony about this time (39 B. C.) named him for the consulship and in 38 B. C. appointed him governor of Syria. This question is discussed more fully on p. 79.

## NO. 2

*Obverse:* head of Antony r., bare; behind neck ZA. Counter-mark as in No. 1.

*Reverse:* military trophy, at the base of which are two cowering captives, a female figure on the left, and a male figure on the right. At the sides of the trophy, left, C. SOSIUS; right, IMP · (= *Imperator*).

This coin refers to the capture of Jerusalem by Sosius on October 3, 37 B. C. when, as governor of Syria, acting under orders from Antony, he undertook to place Herod on the

line — connects the obverse and reverse of the same coin. The broken line ---- connects obverse and reverse of the same type, but not of the same coin.

<sup>7</sup> *Ibid.*, 220.

<sup>8</sup> *Op. cit.*, II, 504.

<sup>9</sup> Cic. *Ad. Att.* VIII, 6, 1; IX, 1, 2.

throne of Judaea. Sosius celebrated a triumph at Rome *ex Judaea* on September 3, 34 B. C. The coin may have been struck soon after the victory, or later on his way back to Rome to celebrate his triumph. The title IMP· indicates that Sosius was acclaimed *imperator* by his legions, and the title was confirmed by Antony. Grueber, *op. cit.* II, 509, suggests that the captives at the foot of the trophy represent Judaea and Antigonus. For the events connected with this coin, see p. 79 f.

## NO. 3

*Obverse*: head of Apollo r., laureate; hair long; behind neck ZA.

*Reverse*: tripod; on right, C·SOSIVS·; on left, COS·DESIG (= consul designatus).

Sosius was consul in 32 B. C., and therefore would be legally consul designate in 33. According to Appian, (B. C. V, 73) by the agreement of Misenum in 39 B. C. he became consul designate for 36. But, as the title is not used on coin No. 2 which was certainly struck in 37 or later, it is perhaps best to conclude that No. 3 was not struck until 33. This coin presents certain problems which will be discussed later (p. 80 f.).

## NO. 4

*Obverse*: head of Neptune r., laureate; behind neck ZA.

*Reverse*: dolphin encircling trident; above, C·SOSIVS; below, COS (= Consul).

Sosius entered on his consulship on January 1, B. C. 32. Early in January, he fled to Antony, along with his colleague Cn. Domitius Ahenobarbus, but must have continued to consider himself consul. Before Actium we find him in command of a detachment of Antony's fleet which moved to the Ionian Sea late in 32. It was probably while acting in this capacity that he struck this coin, with its symbol of sea power.

We shall have occasion later to discuss some additional points in regard to the coins. Let us now take up some of the other known data in regard to Sosius.

C. Sossius was the first and almost the only representative of the name to play an important role in history. Cicero in two letters of 49 B. C.<sup>10</sup> mentions a C. Sossius who was then praetor, and had been quaestor to M' Lepidus (consul in 66 B. C.), who was looked upon as a Pompeian, but who, instead of joining Pompey, continued to hold court in Rome. It has been supposed that this Sossius and the Sossius of the coins are one and the same. Possibly they were. In which case he joined Cæsar and, after Cæsar's death, Antony. But this identification presents a serious difficulty. We next find him (on coin No. 1, struck in 40 or 39 B. C.) acting in the capacity of *quaestor* to Antony after having already held not only the quaestorship but also the praetorship. The identification is therefore difficult but not impossible.<sup>11</sup> We have, as the other horn of the dilemma, to explain why Antony at the peace of Misenum in 39 should stipulate that a mere *quaestor* should be slated for the consulship of 36,<sup>12</sup> or why in 38 B. C. he made him governor of the important province of Syria with the title of proconsul.<sup>13</sup> If the *Q* of coin No. 1 stands for *quaestor*, Sossius must have held, as already suggested,<sup>14</sup> a special commission of some significance, which included the control of the revenues of an island of considerable strategic importance.

In 38 B. C. he succeeded P. Ventidius as governor of Syria,<sup>15</sup> with the rank of proconsul, and defeated the Aradii.<sup>16</sup> The next year, acting under the orders of Antony he marched against Jerusalem<sup>17</sup> with the object of placing Herod on the throne of Judaea. In 39 B. C., about the time of the peace of Misenum, Herod had appealed to Antony and Octavian

<sup>10</sup> *Ad Att.* VIII, 6, 1; IX, 1, 2.

<sup>11</sup> We have the case of Agrippa who took the aedileship for 33 B. C. after having held the consulship in 37.

<sup>12</sup> Appian, *B. C.* V, 73. His information is sketchy. Sossius actually held the consulship in 32 B. C.

<sup>13</sup> *Fasti Triumph. Capitolin. C. I. L.* I<sup>2</sup> p. 50.

<sup>14</sup> See p. 77.

<sup>15</sup> Dio XLIX, 22, 3 adds Cilicia to his province.

<sup>16</sup> *Ibid.*

<sup>17</sup> Joseph. *Ant.*, XIX, 15 f.; *Bell. Jud.* I, 17, 2-18, 3; Dio XLIX, 22.



against the rival claimant Antigonus, who had been set upon the throne with the aid of the Parthians, Rome's traditional enemies in the East. The task of placing him on the throne, then in possession of Antigonus, was assigned to Sosius who in conjunction with Herod took Jerusalem<sup>18</sup> after a five months' siege on October 3, B. C. 37. For this success Sosius was acclaimed *Imperator* by the legions and the title was confirmed by Antony, as is shown by the title IMP· on Coin No. 2, which was struck to commemorate this victory, either shortly after the event or perhaps on his way back to Rome to celebrate his triumph three years later. Grueber<sup>19</sup> believes that of the two cowering figures at the foot of the trophy the male figure on the right represents Antigonus, and the female on the left, Judaea. Sosius apparently remained as governor of Syria until relieved by Munatius Plancus in 35 B. C.

We have no record of his activities between this time and September 3, 34 B. C. when he celebrated at Rome his deferred triumph, which undoubtedly had been conceded to him by Antony along with the title of *imperator*. On his way back from the East he may have stopped at Zacynthus and there struck coin No. 2 in 35 or 34. The triumph is recorded with the date in the *Fasti Triumphales Capitolini*:<sup>20</sup> C·SOSIVS·C·F·T·N·PROCOS·EX·IVDAEA·AN·DCCXIX III·NONAS·SEPTEMBR· It is also recorded in the *Tab. Triumph. Barberiniana*.<sup>21</sup> He is mentioned as *Triumphalis* in an inscription.<sup>22</sup> I shall have occasion to speak later about the triumph in connection with the problem of the temple of Apollo.

After his triumph Sosius appears to have remained in Rome as Antony's agent, along with Domitius Ahenobarbus, looking after Antony's interests during the somewhat tense two years which would conclude the ten years of the trium-

<sup>18</sup> Joseph. *Ant.* XIV, 16 1 f.; XV, 1, 1; *Bell.* I, 18, 2; Dio XLIX, 22, 3; Plut. *Ant.* 34, 6; Seneca *Suas.* II, 21; Tac. *Hist.* V, 9.

<sup>19</sup> *Op. cit.*, II, 509.

<sup>20</sup> *C. I. L.* I,<sup>2</sup> p. 50.

<sup>21</sup> *C. I. L.* I,<sup>2</sup> p. 76.

<sup>22</sup> *C. I. L.* IX, 4855.

virate. As has already been mentioned, Antony had shrewdly seen to it that the consuls for the crucial year 32, the eve of the expiration of the triumvirate, should be his own agents. We have no information about the elections, but presumably they occurred at the usual time, July, in the year 33. Coin No. 3 has on it COS·DESIG. Technically, Sosius would not have been *consul designatus* until after the elections of 33 B. C., although it is possible that he used the title before that time by virtue of the fact that he had been named for the consulship by the triumvirs in 39.<sup>23</sup> But the fact that this title does not appear on coin No. 2 which was struck after October 3, 37 B. C. would seem to show that Sosius was not using the title in this informal sense and it is therefore safer to confine the title on the coin to the last half of 33 B. C. This date becomes important in connection with the problem of the temple of Apollo, to be discussed later.

On January 1, 32 B. C., Sosius entered on his consulship along with Domitius Ahenobarbus, a critical year, as we have said, since legally the triumvirate expired on that date or would expire on the last day of the year, depending on whether the ten years of the triumvirate should be reckoned from its beginning or from the formal renewal for five years on January 1, 36.<sup>24</sup> In the absence of Octavian, who absented himself deliberately in order that his enemies might declare themselves, the outspoken Sosius took advantage of the occasion to praise Antony and launch a bitter invective against Octavian. He would have proposed measures against him in the Senate had not one of the tribunes, Nonius Balbus, interposed his veto. Cæsar returned to Rome, called a meeting of the Senate which he surrounded with armed men, took his seat between the two consuls, and promised to lay before a subsequent meeting all the evidence which he had accumulated

<sup>23</sup> Antony himself had created a precedent for such a use of the term on coins ranging from 39 to 37 B. C. He is represented as COS. DESIG. ITER. ET. TER., although he was not consul for the second time until 34, and was to have been consul for the third time in 31.

<sup>24</sup> Gardthausen, *August.* I, 347.

against Antony. Sosius and Ahenobarbus, realizing that the game was up, did not wait for this third meeting, but fled to Antony before their consulship was more than a few days, or at most a few weeks, old.<sup>25</sup> This fact also becomes important in connection with the traditional dating of Sosius' rebuilding of the temple of Apollo (see p. 83 f.).

After the outbreak of hostilities, we find Sosius commanding a detachment of Antony's fleet shortly before the battle of Actium. With it he defeated a portion of Cæsar's fleet commanded by Lucius Tarius Rufus, but was himself robbed of the fruits of victory by Agrippa.<sup>26</sup> He commanded a division of Antony's fleet at Actium,<sup>27</sup> hid for some time after the battle, was subsequently captured, but allowed to go free by Cæsar.<sup>28</sup>

Coin No. 4, with the legend C·SOSIVS·COS, is to be referred to 32, probably the latter half, when his activities as a naval commander would best explain the three emblems on the coin: the head of Neptune, the dolphin and the trident.

After Actium we hear no more of Sosius for fourteen years. A personage of the same name is in the list of *XV viri sacris faciundis* in the records of the *Ludi Saeculares* of 17 B. C. It is not certain that he was our Sosius. It may have been a son. However, Wissowa seems to have connected coin No. 3 with the *quindecimvirate*, because of the tripod on the reverse. This problem is discussed on p. 85 f.

So much for his life, and coins No. 1, 2 and 4. Let us now return to his triumph of 34 B. C. and, incidentally, to coin No. 3.

It was customary for a *triumphalis* to commemorate his triumph by the erection of a monumental building.<sup>29</sup> The

<sup>25</sup> These events of January of this year are narrated in considerable detail in Dio L. 3.

<sup>26</sup> Dio L, 14, if the text is correct, says that he lost his life, but as he mentions him later in two different places (see Note 28) this statement is an obvious slip.

<sup>27</sup> Vell. II, 85; Plut. *Ant.* 65.

<sup>28</sup> Dio LI, 2, 4; LVI, 38, 2.

<sup>29</sup> I have discussed this subject in my chapter on the Building Activities of the *Viri Triumphales*, *Mem. Am. Acad. in Rome*, Vol. IX, p. 11. f. (now in proof).

historians do not record any such commemorative building for Sosius. In fact, they do not even mention his triumph, concerning which we are indebted for our knowledge to the *Fasti Triumphales* carved upon the Regia, to the *Tabula Barberiniana*, and an inscription in which he is called *triumphalis*.<sup>30</sup> But from references in Pliny, it has been assumed that Sosius rebuilt the temple of Apollo in the Campus Martius, originally dedicated by Cn. Julius Cæsar in 431 B. C.,<sup>31</sup> and restored in 353.<sup>32</sup> Those responsible for this conjecture, however, did not think to connect the building with his triumph, but rather with his consulship, an impossible dating, as I shall presently endeavor to show.

Pliny, in his N. H. 13, 53, says: Cedrinus est Romae in delubro Apollo Sosianus, Seleucia advectus. This was a statue of cedar wood, called *Apollo Sosianus*, and brought from Seleucia in the province of Syria, of which Sosius was governor from 38 B. C. to 36. It was while he was governor of this province that he captured Jerusalem in 37 B. C., for which exploit Sosius celebrated his triumph as is indicated in the *Fasti Triumphales Capitolini* by the addition of the words *ex Iudaea*. Pliny again in N. H. 36, 28, mentions a *templum Apollinis Sosiani*. We have, therefore, definite evidence that the name of a Sosius was connected with a statue and temple of Apollo, and the words *Seleucia advectus* make it certain that the Sosius was the man we are considering.

The old temple in the Campus Martius, as we learn from the Hemerologium of the Arval Brothers,<sup>33</sup> was in the vicinity of the later theatre of Marcellus: *Apollini ad theatrum Marcelli*. Asconius also has a reference which gives its location even more definitely. In commenting on Cicero, *In Toga Candida*, (Asc. p. 90) he emphasizes the fact that the temple of Apollo mentioned by Cicero was not the famous temple built by Augustus on the Palatine: Sed

<sup>30</sup> References given in notes 20-22.

<sup>31</sup> Livy IV, 29, 7.

<sup>32</sup> Id. VII, 20, 9.

<sup>33</sup> C. I. L. I,² p. 215.



illam demonstrari, quae est extra portam Carmentalem, inter forum holitorium et circum Flaminium; ea enim sola tum quidem Apollinis aedes.

This would seem to imply that the only temple of Apollo at the time when Cicero delivered his speech in 64 B. C. was the temple in the Campus Martius. If this is the temple restored by Sosius, as the topographers believe, with but one dissenting voice,<sup>34</sup> one has to account for the adding to it of the name *Sosianus*. I think that the explanation is furnished by the above passage of Asconius. The new temple on the Palatine vowed by Octavian in 36 B. C. and dedicated in 28 B. C. became after Actium the temple of Apollo *par excellence*, and it became necessary to use some designation by which to distinguish the older temple, either an indication of place, such as *ad theatrum Marcelli*, *ad Octaviae porticum*, or the name of the restorer, *Apollinis Sosiani*.

I have said that before the final break there was considerable jockeying for position between the agents of Antony and the followers of Octavian. The fact that Octavian had vowed, and was engaged in building, a new temple to Apollo, made the reconstruction of the old one a rival enterprise. Even religion is made to play its part in politics. Shortly after Octavian had vowed his temple, Sosius returned to Rome to celebrate his triumph and to play his part as Antony's agent. He brings with him his statue of Apollo from Seleucia, a work no doubt of some prestige, both artistic and religious; and with it he undertakes to lend a new distinction to the old temple which he now rebuilt and thereby to counteract any religious advantage that would accrue to Octavian from the building of the new temple. This serves to explain how the name of Apollo Sosianus came to be attached to the old temple, to distinguish it from the new temple on the Palatine

<sup>34</sup> Delbrück, *Der Apollo-tempel auf dem Marsfelde*, p. 3, who makes the temple of Apollo Sosianus a different edifice from that *ad porticum Octaviae*. This conclusion hardly suits the statement of Asconius.

which, after its dedication in 28 B. C., became *the* temple of Apollo.

The topographers have connected the reconstruction of the temple by Sosius with his consulship in 32 B. C., or have arbitrarily and erroneously placed it in 31 B. C.<sup>35</sup> Sosius was indeed consul in 32 B. C. but, as we have seen (p. 81 f.), he left Rome and fled to Antony before the third meeting of the Senate for the month of January of that year, along with his colleague Domitius Ahenobarbus. He was with Antony at Actium. His absence from Rome, and his participation in the Civil War as a general of Antony, must have prevented any building operations on his part in 32 or 31. While he was pardoned by Octavian, it is not likely that, after the elimination of Antony, so rabid an Antonian would have been allowed to rebuild the old temple of Apollo in rivalry with the temple of Apollo which Octavian was himself then building. The rebuilding must, therefore, be placed before 32 B. C., when Sosius was an out and out opponent of Octavian. The only possible time seems to be between 34 and 32 B. C., when Sosius, after the celebration of his triumph, stayed on in Rome as Antony's agent and as *consul designatus*.

This brings us back to coin No. 3 with the head of Apollo on the obverse and the tripod on the reverse. Wissowa<sup>36</sup> connected the tripod with the quindecimvirate, since a C. Sosius is mentioned among the *XV viri sacris faciundis* on the inscription which records the celebration of the *Ludi Saeculares* in 17 B. C.<sup>37</sup> The connection is possible, and a similar explanation was offered by Borghesi<sup>38</sup> in regard to a coin of Cassius.<sup>39</sup> But the words COS·DESIG show that coin No. 3 was struck before the end of 33, about the time when Sosius brought to Rome the statue of Apollo and built or rebuilt the

<sup>35</sup> Those who place it in 31 B. C. may have been influenced by the fact that Dio L, 10, 3 mentions a fire which in that year destroyed the temple of Spes, some hundred metres away.

<sup>36</sup> Quoted in *Eph. Epig.* VIII, p. 241.

<sup>37</sup> *Act. Lud. Saec.*, CIL VI, 32323, line 150.

<sup>38</sup> *Oeuvres Compl.* t. I. p. 343 f.

<sup>39</sup> *B M C Rom. Rep.* II, 481.

temple, which subsequently bore the name of Apollo Sosianus. The coin type itself with the head of Apollo on the obverse and the tripod on the reverse was a traditional type<sup>40</sup> in the coinage of Zacynthus, an important center for the worship of Apollo. The type goes back to the fifth century and continues until after the Roman occupation of the island. This is the only<sup>41</sup> coin of Sosius which suggests any connection with the older coinage of Zacynthus. May not the bringing back of this traditional Apollo-tripod type at this particular time bear some relation to the active interest of Sosius in the Apollo cult as evidenced by his bringing the statue to Rome and the building of a temple of Apollo? If our Sosius is to be identified at all with the *XV vir sacris faciundis*, his election to that college in 34 B. C. or 33 B. C. is readily explained on the same grounds. It could hardly have occurred after the events of the year 32.

If the identification of the temple of Apollo Sosianus with the old temple on the Campus Martius is correct, it contained many other statues besides that which Sosius brought from Seleucia, which Pliny mentions quite incidentally to illustrate the use of cedar wood for statuary. In two passages from Book XXXVI he mentions other statues by famous artists: two statues of Apollo, one nude, Latona, Diana, and the nine Muses by Philiscus of Rhodes; a statue of Apollo Citharoedus by Timarchides;<sup>42</sup> and the famous group of Niobids which he hesitates whether to ascribe to Scopas or Praxiteles.<sup>43</sup> He also mentions paintings by Aristides of Thebes.<sup>44</sup> The temple

<sup>40</sup> See plates in Gardner, *op. cit.*; also p. 83.

<sup>41</sup> The reverse of coin No. 1 was apparently inspired by Ptolemaic coinage (Bahrfeldt, *op. cit.*, p. 220). The trophy on No. 2 is Roman in spirit. No. 4, with Neptune, dolphin and trident, while suitable to an island coinage, is the first example of its kind in the coinage of Zacynthus, and no doubt refers to the naval activities of Sosius as *praefectus classis*.

<sup>42</sup> XXXVI, 34-35: . . . ad Octaviae vero porticum Apollo Philisei Rhodii in delubro suo, item Latona et Diana et Musae novem et alter Apollo nudus. Eum qui citharam in eodem templo tenet Timarchides fecit.

<sup>43</sup> XXXVI, 28; Par haesitatio est in templo Apollinis Sosiani, Niobae liberos morientes Scopas an Praxiteles fecerit. . . .

<sup>44</sup> XXXVI, 99.

must have been a veritable museum of art, but, as it was used for meetings of the Senate,<sup>45</sup> it must have been large enough to house such a collection. It is noteworthy that the temple had no less than four statues of Apollo if we include the statue of cedar-wood. The statues of Latona, Diana, and the nine Muses, and even the group of Niobids were all germane to the cult of Apollo. These statues may have stood in the older temple, but it is not unlikely that some of them at least were placed there by Sosius.

The topographers are pretty well agreed in identifying some ruins which still exist under the cloister of S. Maria in Campitelli with this temple of Apollo.<sup>46</sup> Their location in the angle between the Porticus of Octavia and the Theatre of Marcellus corresponds to the topographical references in ancient authorities,<sup>47</sup> and the periods to which they belong correspond in general to the time of the building of the temple and its various reconstructions. These remains form part of the wall of the podium, thirteen metres long, four metres high and over two metres thick. Frank<sup>48</sup> thinks that the *cappellaccio* core may belong to the early temple of the fifth century, but assigns the Monte Verde blocks of the podium to the reconstruction of 179 B. C., and the mass of concrete with the reticulate facing to the reconstruction of Sosius. The extension of the excavations now going on in the area of the Theatre of Marcellus might yield interesting results in regard to this temple.

<sup>45</sup> Livy, XXXVII, 58, 3; Cic. *ad Quint. Frat.* II, 3, 35.

<sup>46</sup> Jordan-Hülse 1, pt. 3, 535-538; Lanciani, *Ruins and Excavations*, p. 453; *Bull. Com.* XI, 188; Delbruck, *op. cit.*, p. 10; Frank, *Rom. Buildings of the Rep.*, 131-134; Platner-Ashby, p. 16.

<sup>47</sup> Livy, III, 63, 7: in prata Flaminia, ubi nunc aedes Apollinis est; XXVII, 37, 11: ab aede Apollinis boves feminae albae duae porta Carmentali in urbem ductae; XXXIV, 43, 1. and XXXVII, 58, 3: extra urbem in aede Apollinis; Aseonius, *loc. cit.* (p. 83); *Mon. Anc.* IV, 22: theatrum (of Marcellus) ad aedem Apollinis; *Fasti Arv.* CIL 1,<sup>2</sup> p. 215; Apollini ad theatrum Marcelli; Plin. *N. H.* XXXVI, 34 ad Octaviae . . . porticum.

<sup>48</sup> *Rom. Buildings of the Rep.*, 133-134.



## CONCERNING THE ROSTRA OF JULIUS CAESAR\*

FREDERICK W. SHIPLEY

While engaged in arranging in chronological order the buildings and other monuments erected in Rome during the period from 44 B. C. to 14 A. D. for the Chronological Table which will appear in Volume IX of the *Memoirs of the American Academy in Rome*, my attention was drawn to the number of honorary statues recorded as having been erected upon or restored to the Rostra during the year 44 B. C. and the first few weeks of 43. For some unaccountable reason the erection upon the Rostra of these statues, some of them equestrian, within a period of thirteen months has been almost entirely overlooked in the discussion of two vexed questions in regard to the Rostra: (1) Were the plans of Julius Cæsar to change the Rostra from its old location on the Comitium carried out before his death? (2) Can the so-called hemicycle be the Rostra of Julius Cæsar as has been maintained by Mau, and Richter, and more recently reaffirmed by Scheel?

The recorded data in regard to these statues have an important bearing upon the second of these questions, and some bearing upon the first.

Before taking up the statues it will be necessary to give in brief outline some of the data in regard to the Rostra of Julius Cæsar, and the divergent views which have been held in regard to this monument.

Cæsar's change in the position of the Rostra is recorded by Dio<sup>1</sup> who says that when Cæsar was dictator for the fifth

\* This paper was presented at a special meeting of the St. Louis Classical Club, held in memory of John M. Wulffing, December 12, 1929.

<sup>1</sup> XLIII, 49. Ταῦτα μὲν τότε ἐπράχθη· τῷ δὲ ἐχομένῳ ἔτει, ἐν ᾧ ὁ Καῖσαρ ἐδικτατόρευσέ τε ἅμα τὸ πέμπτον, . . . . . καὶ ὑπάτευσε τὸ πέμπτον, συνάρχοντα τὸν Ἀντώνιον προσελόμενος, . . . . . καὶ τὸ βῆμα ἐν μέσῳ πον πρότερον τῆς ἀγορᾶς ὃν ἐς τὸν νῦν τόπον ἀνεχωρίσθη, καὶ αὐτῷ ἡ τοῦ Σύλλου τοῦ τε Πομπηίου εἰκὼν ἀπεδόθη. καὶ ἐπὶ τε τούτῳ εὐκλείαν ὁ Καῖσαρ ἔσχεν, καὶ ὅτι τῷ Ἀντωνίῳ καὶ τῆς δόξης τοῦ ἔργου καὶ τῆς ἐπ' αὐτῷ ἐπιγραφῆς παρέχωρησε.

time and consul for the fifth time, with Antony as his colleague (44 B. C.), the Rostra which formerly was in the center of the Forum was moved back to its present position; that the statues of Sulla and Pompey were restored to it; and that Cæsar was praised for this and also because he conceded to Antony the glory of the work and the inscription upon it. The change of position of the Rostra is attested by Diodorus,<sup>2</sup> a contemporary of Cæsar and Augustus, who speaks of the laws of the Twelve Tables as having been affixed to the Rostra "which at that time (τότε) was situated in front of the Senate house," showing that at the time at which Diodorus penned this passage the change had already taken place.<sup>3</sup> Asconius,<sup>4</sup> writing under Nero, in his commentary on Cicero's *Pro Milone*, states that the Rostra at the time of the delivery of that speech was not where it stood in his own day, but on the Comitium, close to the Senate House. Dio, however, is the only one of the three who ascribes the change to Cæsar and Antony. The other two are concerned with the location of the old Rostra, and not with the new, and simply note the change of position.

That Dio was referring to the completion and dedication of the Rostra would be the natural inference to be drawn from his account. His references to monuments are usually to dedications, since dedications were more commonly matters of record, although in exceptional cases<sup>5</sup> he does mention the

<sup>2</sup> XII, 26.

<sup>3</sup> The last datable reference in Diodorus is to the founding of a Roman colony at Tauromenium (XVI, 7), which seems to have happened in 36 B. C., though some place it in 21.

<sup>4</sup> On *Pro Milone* 12.

<sup>5</sup> In sporadic cases he was sometimes led, when dealing with important historical events, to mention, in anticipation, monuments which were connected with them. He thus mentions the Regia in advance, in connection with the campaign of Calvinus in Spain in 39 B. C.; the beginning of the temple of Apollo in 36 B. C., as well as its dedication in 28; the restoration of the Porticus Octavia in connection with Octavian's campaign against the Dalmatians; the beginning of the theatre of Marcellus, in connection with his death; and the promise of Tiberius on the day of his triumph, which was also the first day of his consulship, to rebuild the temple of Concord which was not dedicated until 17 years later. But in mentioning the great majority of monuments he is chiefly concerned with

decreeing or vowing of monuments as well as the dedication. His statement that Cæsar received praise because the statues of Sulla and Pompey were restored to the Rostra justifies us in assuming that the restoration actually took place while Cæsar was still alive. The same inference may be drawn from the statement that Cæsar yielded to his colleague Antony the glory of the work and the dedicatory inscription. If the restoration of the statues and the dedication by Antony took place after Cæsar's death, Dio (or his source), would hardly have spoken of the praise which Cæsar received for his magnanimity. Richter who in his earlier work on the Rostra<sup>6</sup> first cast doubt upon the credibility of Dio's statement subsequently<sup>7</sup> became its chief defender, in which he was supported by Mau.<sup>8</sup> Their position has been recently re-affirmed by Scheel.<sup>9</sup>

The view originally advanced by Richter<sup>10</sup> that the account of Dio referred only to the plans of Cæsar, and not to the completion of the monument still survives long after its author had abandoned it in favor of the view just stated. His first position was based upon the absence of references in Cicero to the fact that the Rostra had been moved, and that the name of the hated Antony had been placed upon the new structure.<sup>11</sup> Would Cicero have lost the chance to add one more to the catalogue of Antony's sins? Richter's former dedications, for which historical and epigraphic records were more readily available.

<sup>6</sup> *Reconstr. u. Gesch. d. röm. Rednerbühne*. 1884.

<sup>7</sup> *Beiträge zur röm. Topographie* II, Berlin, 1904, p. 22.

<sup>8</sup> *Rhein. Mus.* Vol. XX, 1905, p. 265.

<sup>9</sup> *Die Rostra am Westende des Forum Romanum*, *Röm. Mit.* XLIII, 176-255.

<sup>10</sup> See note 6.

<sup>11</sup> On first thought it seems surprising that Cicero should nowhere have mentioned the removal of the old platform on which he had won his oratorical spurs, and that its place had been taken by the new one which bore the name of the hated Antony. But it should be remembered that of the fourteen Philippics twelve were addressed to the Senate, and that only the fourth and sixth are addressed to the people. Both are short, and are summaries of what transpired at meetings of the Senate on December 20, 44, and January 4, 43. While he was probably speaking from the Rostra there was little chance in these two speeches to drag it into the discussion.

position continued to be held by Hülsen,<sup>12</sup> and De Ruggiero.<sup>13</sup> In the recently published Topographical Dictionary of Ancient Rome by Platner and Ashby, the case is stated thus: (p. 451) "Cæsar had decided on the removal, but his definite plan seems not to have been carried out, or at least the dedication not to have taken place until after 42 B. C."

Much of the popular interest in the Rostra centres about two events, both belonging to the early part of 44 B. C.—the scene at the Lupercalia, on February 15, when Antony offered Cæsar the crown as he was seated on the Rostra,<sup>14</sup> and the famous funeral oration which Antony delivered from the same platform over the body of Cæsar a few days after the tragedy of the Ides of March.<sup>15</sup> These are the two scenes which visitors most desire to visualize in their topographical setting, thanks to the sentimental interest aroused by Shakespeare's Julius Cæsar. The two conflicting theories which I have outlined leave us in doubt as to whether the Rostra in

<sup>12</sup> *Röm. Mit.* XX, 1902, 22; *Das Forum Romanum*, 66; *The Forum and Palatine* 22.

<sup>13</sup> *Il Foro Romano*, Roma, 1913, p. 360. De Ruggiero here sets forth a conjecture of Becker (*Top.* 337 sq.) that the Rostra was dedicated by Augustus along with the Curia in 29 B. C. But the reference in Diodorus (see p. 89) would seem to show that the change had already taken place before 36 B. C.

<sup>14</sup> In regard to the incident of the Lupercalia all the authorities (Cic. *Phil.* II, 34, 85; Nicolaus of Damascus, *Vit. Aug.* 21; Velleius II, 56; Suetonius, *Julius* 79; Plutarch, *Caes.* 61; App. *B. C.* II, 16, 109; Dio XLIV, 11) are in substantial agreement. Cæsar was seated on the front of the Rostra, on a gilded chair, with a garland upon his head, when Antony, who was one of the Luperci, sprang upon the Rostra, approached the chair upon which Cæsar sat and placed upon his head the diadem "which Cæsar did put from him." Cæsar, after refusing the crown, ordered it to be taken to the temple of the Capitoline Jupiter, saying that it was more appropriate there. Nicolaus, contemporary with Cæsar and Augustus, mentions a variant in the story: that finally Antony embraced Cæsar and gave the crown to some of those standing near to place it on the head of the statue of Cæsar which was close by (τοῦ πλησίον ἀνδριάντος); this they did.

<sup>15</sup> The accounts of the setting for Antony's funeral oration vary somewhat, especially as to where the body lay while Antony was speaking. Plutarch, *Ant.* 14, says simply "in the Forum." Dio in the preamble to the speech (XLIV, 35) also says "in the Forum"; but in the speech itself, which is probably a rhetorical elaboration, he makes Antony say (XLIV, 49): "wounded to death, you have been cast down upon the Rostra from which you often addressed the people." Suetonius (*Jul.* 84) says that a gilded shrine, made to resemble the temple of Venus, in which the body lay, was placed *pro rostris*, which is usually synonymous with *in rostris*. Appian (*B. C.* II, 143) states that the body was placed upon the Rostra: ἐπὶ τῶν ἐμβόλων.



February and March of 44 B. C. stood on the old site on the Comitium, or on the new site at the west end of the Forum. Even if we assume that the change of location had already taken place, there arises the further question: Can we identify the Rostra of Cæsar with any of the existing remains at the west end of the Forum?

It happens that Richter, Mau and Scheel, the three chief advocates of the theory that Dio was referring to the dedication, are united in identifying the hemicycle as the Rostra of Julius Cæsar. Most of those who hold the theory of a completion under the triumvirs, or by Augustus, now<sup>16</sup> identify the rectangular structure as belonging to this completion, but do not regard the hemicycle itself as a prior and independent monument.

Let us now proceed to the discussion of the honorary statues erected upon the Rostra during the thirteen months from the beginning of 44 B. C. to the end of January of 43, and their bearing upon these two questions.

According to the passage in Dio,<sup>17</sup> which refers to events at the beginning of 44 B. C., Cæsar, when the site of the Rostra was changed, placed upon the new speaker's platform the statues of Sulla and Pompey which had been thrown down from the old Rostra by the plebs in 48 B. C., after the news of Pharsalus. The statement is confirmed by Suetonius<sup>18</sup> who places this act of magnanimity at the end of Cæsar's life. The new Rostra thus began its history with two statues upon it. The statue of Sulla, as we know from Cicero,<sup>19</sup> was a gilded equestrian statue. In regard to that

<sup>16</sup> Since the publication of "The So-called Flavian Rostra" by Van Deman, *A. J. A.*, Vol. XIII, 1909, 170-186, the belief that it belonged to the time of the Flavians, or even of Trajan, has been abandoned.

<sup>17</sup> See note 1.

<sup>18</sup> Suet. *Caes.* 75. He uses the words *tempore postremo*.

<sup>19</sup> *Phil.* IX, 13: Mihi autem recordanti Ser. Sulpici multos in nostra familiaritate sermones gratior illi videtur, si qui est sensus in morte, aenea statua futura, et ea pedestris, quam inaurata equestris, qualis L. Sullae primum statua est. See also App. *B. C. I.*, 97.

of Pompey we are not informed whether it was an equestrian statue or not.

To these we must add a<sup>20</sup> statue of Cæsar himself, erected on the Rostra some time after the battle of Munda. On the old Rostra or on the new? At any rate, it seems to have stood on the Rostra during the famous incident of the Lupercalia (February 15, 44 B. C.), as we learn from Nicolaus of Damascus,<sup>21</sup> a contemporary. The diadem was placed upon it after Cæsar had put it from him. Cicero, writing to Cassius early in October of 44 B. C., states that Antony had placed the inscription "Parenti optime merito" on the statue which he (Antony) had placed upon the Rostra.<sup>22</sup> This statement should apply to the new Rostra which Antony had dedicated as consul. The statue may never have stood on the old Rostra, or, if it did, it was transferred by Antony.

Sulla's statue was equestrian. We do not know whether those of Cæsar and Pompey were equestrian or not, but may perhaps infer that they were from Velleius II, 61, who, speaking of the honor of an equestrian statue erected on the Rostra to Octavian, says: *qui honor non alii per trecentos annos quam L. Sullae, et Cn. Pompeio, et C. Cæsari contigerat*. Velleius, who lived during the reigns of Augustus and Tiberius, must have seen all three statues.

We have information in regard to another statue which had long stood upon the old Rostra, and was transferred to the new tribunal. In the ninth Philippic<sup>23</sup> delivered about the

<sup>20</sup> Dio XLIV, 4, mentions *two*. But he was probably misled into thinking that the *corona civica* and the *corona obsidionalis* could not belong to one and the same statue.

<sup>21</sup> *Vita Aug.* 21. See note 14. The word *πλησίον* is a little vague, but Nicolaus was probably using it with Cæsar in mind as he sat in his gilded chair upon the Rostra. He has already referred in chap. 20 (in connection with the earlier episode of the tribunes and the diadem) to the gilded statue of Cæsar "which had been erected upon the Rostra by vote of the people." Cf. Suet. *Caes.* 29.

<sup>22</sup> *Fam.* XII, 3: *Primum in statua quam posuit in rostris inscripsit "Parenti optime merito."*

<sup>23</sup> *Phil.* IX, 4: *Cn. Octavii clari viri et magni, qui primus in eam familiam, quae postea viris fortissimis floruit, attulit consulatum, statuam videmus in rostris.*

end of January of 43 B. C., Cicero in proposing the erection of the honorary statue to Servius Sulpicius, of which we shall speak presently, refers, among other precedents<sup>24</sup> for the erection of this statue, to a statue erected to Cn. Octavius (consul in 165 B. C.) who was treacherously slain at Laodicea while on an embassy to Antiochus. This statue, he says, "we see upon the rostra." Pliny speaks of the same statue as standing upon the Rostra in his own day.<sup>25</sup> This statue was therefore transferred when the Rostra was changed from the old site to the new. Is Cicero referring to the Rostra on the Comitium, or to the Rostra of Cæsar and Antony? We shall discuss this question later.<sup>26</sup>

We now come to three other statues, two of them equestrian, and the other a standing statue, which were all voted by the Senate within the space of five or six weeks between the latter part of December of the year 44 and the end of January, 43 B. C. For these we have the contemporary evidence of Cicero's *Philippics* and *Letters*.

The voting of these three statues within a few weeks of each other has an interesting bearing, not only upon the problems of Cæsar's Rostra, but also upon the political manoeuverings for these few weeks. After his open break with Antony in September of 44, it was part of Cicero's policy to endeavor to align against Antony, and with the so-called Republican party, Cæsarians who had no natural interest in aiding the cause of Cæsar's assassins, such as Plancus, Lepidus, and Octavian, particularly the two latter. The voting

<sup>24</sup> In the same passage (*Phil.* IX, 4) Cicero also mentions the four statues of the envoys who were put to death by Tolumnius, king of Veii, which he says stood usque ad meam memoriam in rostris. They may have been removed in the time of Sulla. At any rate they were no longer on the Rostra when Cicero delivered this speech. They may have been replaced later, perhaps on the Rostra as enlarged by Augustus, since Pliny (*N. H.* XXXIV, 23) mentions them in the present tense. In the same passage Pliny speaks of a statue of Camillus *in rostris*, but as he uses no verb it is uncertain whether he is speaking of his own time. Asconius (*pro. Scauro* 30) uses the past tense.

<sup>25</sup> *N. H.* XXXIV, 24: Non præteribo et Cn. Octavium ob unum SC. verbum. . . . In qua legatione interfecto senatus statuam poni iussit quam oculatissimo loco, eaque est in rostris.

<sup>26</sup> P. 99.

of exceptional honors, including statues on the Rostra, was part of his diplomatic policy in this connection.

The first<sup>27</sup> of these honorary statues in order of time was probably the equestrian statue on the Rostra voted by the Senate to Octavian, possibly in the last weeks of 44 B. C., and certainly not later than the first four days of January of 43.<sup>28</sup> This, in addition to other unusual honors, was voted as a reward for the raising of an army against Antony. The motion was not made by Cicero himself, as in the case of the statues of Lepidus and Servius Sulpicius Rufus, but by Lucius Marcius Philippus, though Brutus, no doubt rightly, seems to have placed the ultimate responsibility on Cicero.<sup>29</sup> The statue is represented on coins<sup>30</sup> of the period, one of which (Babelon No. 66) has in the exergue below the statue the beak of a ship which seems to represent the Rostra. Velleius<sup>31</sup> states that for three centuries this honor had not fallen to the lot of anyone except Sulla, Pompey, and Julius Cæsar, adding that the statue was still standing upon the Rostra in his day (about 29 A. D.), though he is there no doubt referring to the Rostra as rebuilt by Augustus.

A similar gilded equestrian statue of Lepidus, along with the honor of a triumph, was proposed by Cicero on the first of January, 43 B. C., to reward him for bringing about an

<sup>27</sup> The statement of Velleius II, 61 (see note 31) would seem to place it before the similar statue voted to Lepidus. Cic. *ad Brut.* I, 15, 7 (see note 29) also places it before the other special honors to Octavian.

<sup>28</sup> App. B. C. III, 51, mentions it among other honors voted at this time.

<sup>29</sup> Cicero *ad Brut.* I, 15, 7, writing in July 43 B. C., disclaims responsibility for all the honors voted to the young Octavian: statuam Philippus decrevit, celeritatem petitionis Servius, post maiorem etiam Servius. Nihil tum nimium videbatur.

<sup>30</sup> Babelon *Monn. de la Rep. Rom.* II, p. 36, No. 63, with C. CAESAR IMP on the obverse, and an equestrian statue, with S. C. in the exergue on the reverse. Babelon would place this between Mutina, April 16, and the formation of the triumvirate, November 27, 43 B. C. No. 65 has a similar equestrian statue on the reverse and C. CAESAR III VIR R. P. C. on the obverse. No. 66 has C. CAESAR III VIR R. P. C. on the obverse; on the reverse, a prow of a ship, between the letters S. C. below the statue in the exergue, seems to indicate the Rostra.

<sup>31</sup> II, 61: Eum senatus honoratum equestri statua, quae hodieque in rostris posita aetatem eius scriptura indicat, qui honor non alii per trecentos annos quam L. Sullae et Cn. Pompeio et C. Caesari contigerat, propraetore . . . bellum . . . gerere iussit.



understanding with Sextus Pompey, and with the further purpose of winning his support against Antony.<sup>32</sup> The motion was made in the fifth *Philippic* (15, 40-41): . . . eique statuam equestrem inauratam in rostris, aut quo alio loco in foro vellet, ex huius ordinis sententia placere velle. The statue was duly voted<sup>33</sup> and placed upon the Rostra,<sup>34</sup> from which later in the same year it was promptly thrown down<sup>35</sup> after the *rapprochement* between Lepidus and Antony, when Lepidus was declared a public enemy.

Later in January, B. C. 43, Servius Sulpicius Rufus (author of the well known letter of consolation to Cicero on the death of his daughter Tullia) who had been sent on an embassy from the Senate to Antony, died in the vicinity of Antony's camp. On the motion of Cicero,<sup>36</sup> made partly with the purpose of increasing the ill feeling between the Senate and Antony, as well as that of honoring his friend, the Senate voted that a bronze statue of Sulpicius should be erected on the Rostra with a free space about it of five feet in every direction from which his children and his children's children might view the games and gladiatorial contests. Cicero's motion stated that the statue was to be placed *in rostris*. Pomponius, the jurist, writing in the time of Hadrian, states that it was placed *pro rostris*, and that it was still standing in his day *pro rostris Augusti*.<sup>37</sup>

<sup>32</sup> Cic. *ad Brut.* I, 15, 9, after the statue had been thrown down, explains his motive: nos illum honore studuimus a furore revocare.

<sup>33</sup> Cic. *Phil.* XIII, 4, 9: Haec causa fuit cur decerneretis statuam in rostris cum inscriptione praeclara, cur absenti triumphum.

<sup>34</sup> Cic. *ad Brut.* I, 15, 9: At in Lepido reprehendimur; cui cum statuam in rostris statuissimus, idem illam evertimus. The letter was written about July 1, 43 B. C.

<sup>35</sup> See note 34; also Cic. *ad Fam.* XII, 10, 1; Vell. II, 64 and 66; Dio XLVI, 51.

<sup>36</sup> *Phil.* IX, 6, 16. Senatui placere Ser. Sulpicio statuam pedestrem aeneam in rostris ex huius ordinis sententia statui circumque eam statuam locum ludis gladiatoribusque liberos posterosque eius quoquo versus pedes quinque habere, eamque causam in basi inseribi quod is ob rem publicam mortem obierit. . . .

<sup>37</sup> Pomp. *Dig.* I, 1, 2, 43: Hic cum in legatione perisset statuam ei populus Romanus pro rostris posuit, et hodieque extat pro rostris Augusti. This is the only specific mention of the Rostra of Augustus. Topographers in discussing the Rostra have consequently given a good deal of attention to this passage. Most

We have seen that Cæsar conceded to Antony the glory of dedicating the Rostra. Cicero's willingness to erect in rapid succession upon the Rostra three statues of men who were, or who he hoped would become, Antony's enemies is the more readily explained on the assumption that they were to be erected upon the monument which Antony dedicated. It could have possessed no sacredness in his eyes, such as might have attached to the old Rostra in front of the Comitium on which he had won his oratorical reputation, and which had been sacrificed to permit of the clearing of the Comitium area in connection with the building of the new Senate house, which Cæsar had planned and probably begun<sup>38</sup> before his death. This attitude on Cicero's part may also explain why he never chose to give Antony the satisfaction of identifying him with the new Rostra.

What evidence, if any, can be gleaned from the references to these various statues bearing upon the question as to whether the change in the position of the Rostra, which Dio mentions, took place at the beginning of 44 B. C., before Cæsar's death, or later under the triumvirs or Augustus. Our information, based, for the most part, upon contemporary or nearly contemporary sources, covers a period of thirteen months, from the beginning of 44 to the end of January 43 B. C., or eighteen if we include the reference to the throwing down of the statue of Lepidus after he joined Antony. It is not absolutely conclusive, but lends weight to what has already been said (p. 88 f.) in discussing Dio's statement. It may be summarized as follows:

1. The statue of Sulla, which as we know from Suetonius,<sup>39</sup> had been thrown down from the old Rostra by the plebs after

of them have failed to note in this connection the passage in Cicero containing his actual motion made at the end of January in 44 B. C., long before Augustus could have had anything to do with the Rostra.

The words *pro rostris*, here and elsewhere, are to be interpreted as "on the front of the Rostra."

<sup>38</sup> Van Deman, *A. J. A.* XVI, 1912, pp. 250-251, finds evidence of Cæsarian construction in the foundations of the Curia.

<sup>39</sup> See note 18.

the battle of Pharsalia, is spoken of by Cicero in the ninth Philippic in the present tense.<sup>40</sup> The presumption is that it had already been restored upon Cæsar's new Rostra. Furthermore, according to Dio or his source, Cæsar was praised for restoring the statues of Sulla and Pompey and placing them on the new Rostra. This praise would be hard to understand if the statues were not placed upon the Rostra until after Cæsar's death.

2. The statue of Cæsar, which stood on the Rostra at the time of the famous incident of the Lupercalia<sup>41</sup> (February 15, 44 B. C.), was erected upon the Rostra some time after Munda (March 17, 45 B. C.). Cicero, writing in October of 44 B. C. says it was put there by Antony; Nicolaus says "by vote of the people."<sup>42</sup> It will be remembered that it was Antony to whom Cæsar conceded the honor of the inscription upon the new Rostra. Antony could hardly have had the authority before his consulship (which began January 1, 44 B. C.) to erect a statue even of Cæsar upon the Rostra, a place reserved for those honored by decrees of the Senate, or by vote of the people. The presumption is in favor of the inference that it was placed by Antony upon the new Rostra which bore his name.

3. There is not much to be inferred from the honorary statues erected to Octavian and Lepidus. These honors were temporary political expedients reluctantly resorted to by Cicero and the anti-Antonians, and are explained by Cicero's letter to Brutus (I, 15, 7-9) of July 1, 43 B. C., and by his famous remark in regard to Octavian: *laudandus et tollendus*.<sup>43</sup> There is this to be said, however, that Cicero would have had less compunction about erecting these two statues upon a monument dedicated by Antony than upon the older Rostra upon which Cicero had himself won his oratorical spurs. The situation was somewhat different in the case of the statue of Servius Sulpicius Rufus. Servius was of the

<sup>40</sup> See note 19.

<sup>41</sup> See notes 14, 21.

<sup>42</sup> See notes 22 and 21.

<sup>43</sup> Velleius II, 62.

party opposed to Antony, and was in addition one of Cicero's most intimate friends. In providing for a space about the statue from which the children and children's children of his friend might view the games, it is at least probable that Cicero had in view a permanent location and would not have been guilty of a mere gesture in selecting a monument whose site was soon to be moved.

4. In regard to the statue of Cn. Octavius, had we no information except the statement of Cicero, we might infer that he was speaking of the old Rostra on the Comitium. But the reference to it in Pliny<sup>44</sup> makes it clear that this statue was moved to the Rostra at the west end of the Forum, and Cicero's statement may therefore apply to either site.

On the whole, the evidence to be deduced from the records in regard to the statues would seem to favor the literal interpretation of the words of Dio. I am therefore inclined to agree with Richter, Mau, and Scheel in dating the actual change of position of the Rostra in the beginning of 44 B. C.

But I must part company with them, chiefly on the evidence of the statues, in the second stage of their conclusions. All three agree in identifying the so-called hemicycle as the Rostra of Julius Cæsar. The most recent formulation of this view is that of Scheel,<sup>45</sup> published in 1928, after a careful

<sup>44</sup> See note 25.

<sup>45</sup> *Röm. Mit.* XLIII, 1928, pp. 176-255. In this study Scheel has treated exhaustively, from the standpoint of construction, all the remains in the immediate vicinity of the Rostra at the west end of the Forum which could possibly have had any connection with it: the so-called hemicycle, the rectangular platform in front of it, the umbilicus, the Schola Xantha, and the eight arches on the edge of the Clivus Capitolinus. These he has studied from the standpoint of the use of tufa and travertine, of marble, of brick, and of concrete, in an effort to establish chronological relationships, or sequences, in the light of what is known in regard to the use of these materials.

We are concerned here only with his conclusions in regard to the rectangular platform and the so-called hemicycle. The addition of the rectangular platform he assigns to Augustus (p. 255, sec. 5). The hemicycle he identifies as the hastily built and never completed Rostra of the great Cæsar (p. 254, sec. 5). He arrives at this conclusion from his general study of construction and particularly from the following considerations; the essential chronological unity of the concrete core (p. 215), the possibility, at this period, of a curved structure as an independent building (p. 228, sec. 7), and the fact that the Porta Santa slabs of the



study of materials and construction. But he paid scant attention to the literary references. It is true that he devotes a chapter to them,<sup>46</sup> but he seems to have been laboring under the misapprehension that there is little mention of the Rostra in contemporary literature.<sup>47</sup> The statues are not mentioned at all.<sup>48</sup> And yet they are as important as materials and construction in identifying the monument on which they stood. If, as Mau, Richter, and Scheel believed,—and in this I think they are right—the Rostra of Julius Cæsar was completed early in 44 B. C. and before the death of Cæsar, we must find a place for the seven statues which I have mentioned, all attested by contemporary or nearly contemporary authorities. Could they have stood on the hemicycle?

Now the so-called hemicycle is a curved structure whose chord was 23.65 metres long, approached from the west by a flight of five curved steps, extending practically its whole length. Its core was of solid concrete. Its top, facing the Forum on the east, was barely two metres wide, in spite of its great length. Could this narrow platform,—even if we do not allow for a balustrade, which was almost essential—ever

east front *can* belong to Cæsar's time, and *can* represent the decoration of the front of an independent structure (p. 202 ff.). These conclusions in regard to the hemicycle are identical with those previously formulated by Richter and Mau.

<sup>46</sup> P. 238, sec. X: "Die Rednerbühne in der Literatur."

<sup>47</sup> P. 239: "Auch die zeitgenössische Literatur versagt." He goes on to mention especially the silence of Cicero. His sole reference to Cicero in this chapter is to *Phil.* II, 90 which he mentions only to point out that Cicero had there lost an opportunity to mention the Rostra. He mentions the passage from Pomponius in the Digest (see note 37) in regard to Sulpicius, but seems to be unaware that in *Phil.* IX we have the exact text of Cicero's motion to erect the statue.

<sup>48</sup> Since the first publication of Hülsen's *Formae Urbis Romae Antiquae*, its Nomenclator Topographicus has become a source book for topographical references. For some strange reason, probably accidental, there are no references in that work to Cicero, Nicolaus of Damascus, and Velleius Patereulus under the headings Rostra Caesaris, and Rostra Augusti. This portion of his bibliography is quite incomplete and some of the material is irrelevant and belongs to the old Rostra on the Comitium. This may account for the failure to mention the statues on the part of Scheel and others who have written on the Rostra. It should be said that in 1890 Gilbert in his *Gesch. u. Top.*, Abtheil. III p. 153, had listed five of these seven statues, namely, those of Cn. Octavius, Julius Cæsar, Lepidus, Sulla and Pompey. He does not, however, make use of them as evidence in settling the topographical problem.

have served, or have been intended to serve the purposes of the Rostra, or could it meet the requirements of the historical references which we have for the Rostra during the years 44 and 43 B. C.? We must find a place on it for seven known statues, and it is conceivable that others besides the statue of Cn. Octavius were transferred to the new Rostra from the old.

We have seen that the statue of Sulla at least was equestrian, possibly also the statues of Pompey and Julius Cæsar. We know that the statues of Octavian and Lepidus were also equestrian. There is no place for three equestrian statues—and possibly five—on the narrow platform which Richter, Mau, and Scheel identify as the Rostra of Julius Cæsar, even assuming that they were not life size. The statue of Sulpicius, as we know, was a standing figure, also in all probability the statue of Cn. Octavius. These two statues might indeed have stood upon the narrow top; but where can we find the free space ten feet in diameter for the statue of Sulpicius? It is not to be supposed that Cicero, in honoring his friend, was guilty of a mere gesture in stipulating five feet of free space about his statue in every direction, on a platform which was barely two metres wide. The hypothesis that the Rostra of Julius Cæsar which Antony dedicated was limited to the existing hemicycle will not fit the known facts, all attested by contemporary writers. The statues alone, aside from the purpose for which the monument was intended, require a much wider platform. If the hemicycle is to be identified at all as the work of Julius Cæsar, it can only have formed a part of Cæsar's Rostra.

The conclusions of Van Deman,<sup>49</sup> published in 1909, after a minute study of the brickwork and concrete, come much nearer to meeting the requirements furnished by the evidence of the statues. This investigator recognized in the concrete core of the southern portion of the hemicycle, as it exists to-

<sup>49</sup> *A. J. A.*, XIII, 170-186.

day, *two* building periods, and believed that the upper stratum of reddish concrete above the topmost layer of marble and travertine chips was the work of Augustus, and that the lower strata of greyish concrete belonged to the Rostra of Cæsar; that traces of Cæsarian construction extended at least six metres southward of the southern line of the rectangular platform, and also eastward of the line of the hemicycle to within a metre and a half of the rear wall of the rectangular platform; that the architects of Augustus cut away a part of the southern end of the structure, extending the new Rostra a little to the north and farther to the east, and raising its height; and that the plan of Cæsar's Rostra, though not admitting of determination in detail, probably resembled, in general, the Rostra of Augustus which took its place.

This theory provides for a platform large enough for the purposes for which the Rostra was used, and sufficient room for the statues which we have been discussing. This is in substance the theory accepted in the *Topographical Dictionary of Platner-Ashby*,<sup>50</sup> though the editors still assume, wrongly, I believe, that the completion and dedication of Cæsar's Rostra did not take place until after 42 B. C.

<sup>50</sup> P. 452.





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